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# FIRST QUADRENNIAL REPORT



OF THE

# WORKMEN'S COMPENSATION COMMISSIONER OF ALABAMA



Mrs. MARIE BANKHEAD OWEN, Commissioner

WALTER H. MONROE, Clerk



5-18  
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**WORKMEN'S  
COMPENSATION COMMISSIONER  
OF ALABAMA**



Mrs. MARIE BANKHEAD OWEN, Commissioner

WALTER H. MONROE, Clerk

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## LETTER OF TRANSMITTAL

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To the Governor and Legislature of the State of Alabama:

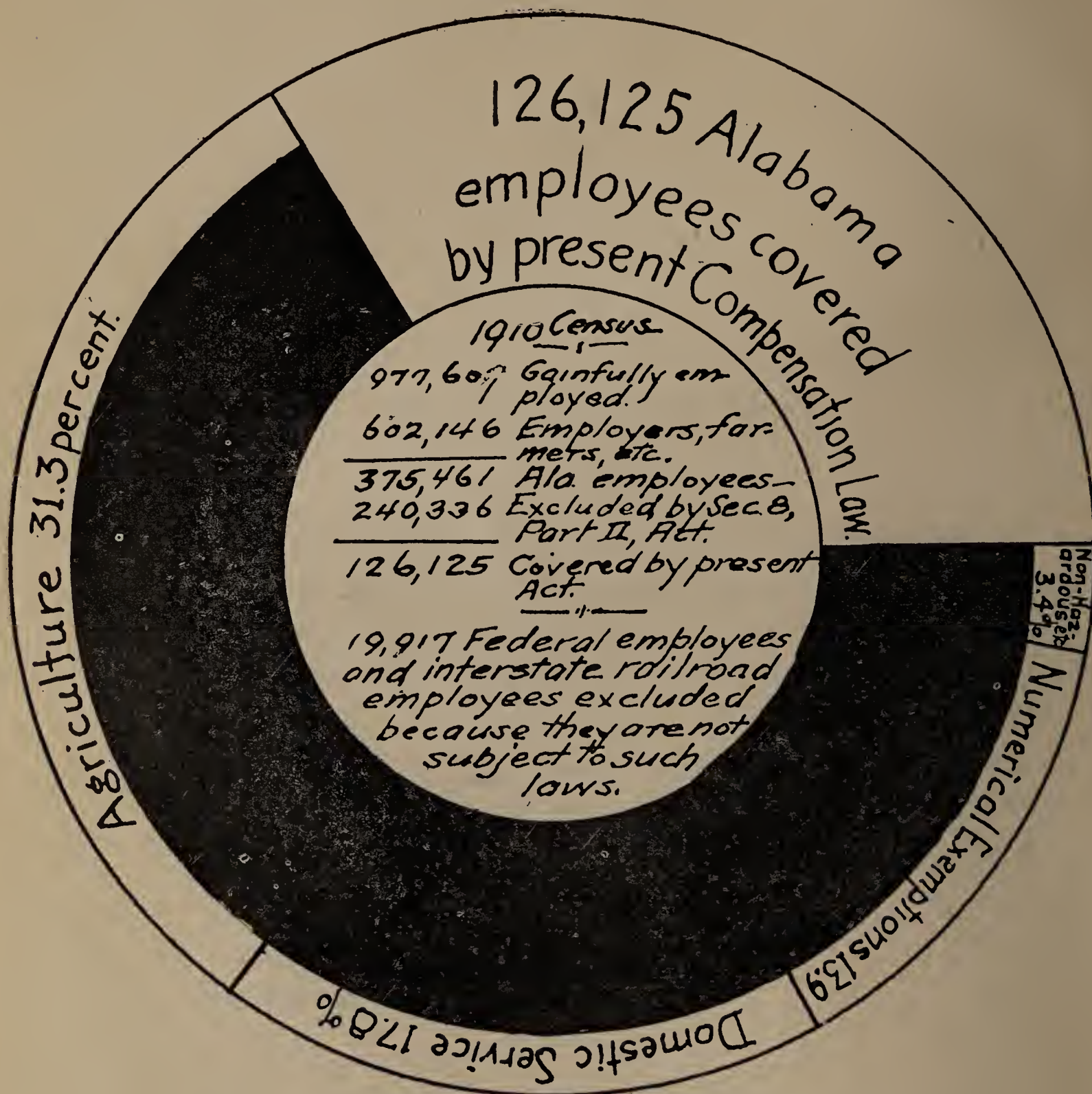
In compliance with law and the custom of the Departments of this State, I have the honor to submit the first quadrennial report of the Workmen's Compensation Commissioner of Alabama.

It is with pleasure that I make acknowledgment of valuable assistance rendered in the compilation of this report to Mr. Walter H. Monroe, clerk of the Commission.

Respectfully,

MARIE BANKHEAD OWEN,  
Commissioner.

# SCOPE OF COVERAGE OF ALABAMA WORKMEN'S COMPEN- SATION ACT



NOTE:—The scope of the Alabama Workmen's Compensation Act is graphically pictured by the above chart. According to the figures of the 1910 census there were 977,607 persons gainfully employed in Alabama in that year. From this amount 602,146 employers, farmers, independents, etc., are subtracted, leaving 375,461 Alabama employees. Twenty-four thousand three hundred thirty-six of the above employees are exempted by section 8, part 2, of the present Act. It will be seen that 31.3 per cent of such exemptions is due to the exemptions of farmers and farm labor; 17.8 per cent domestic service; 13.9 per cent numerical exemptions and 3.4 per cent non-hazardous employments and their miscellaneous exemptions. Nineteen thousand nine hundred seventeen railroad employees have been omitted from the figures due to the fact that they are ordinarily covered by the Federal Compensation Law.



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PART I.

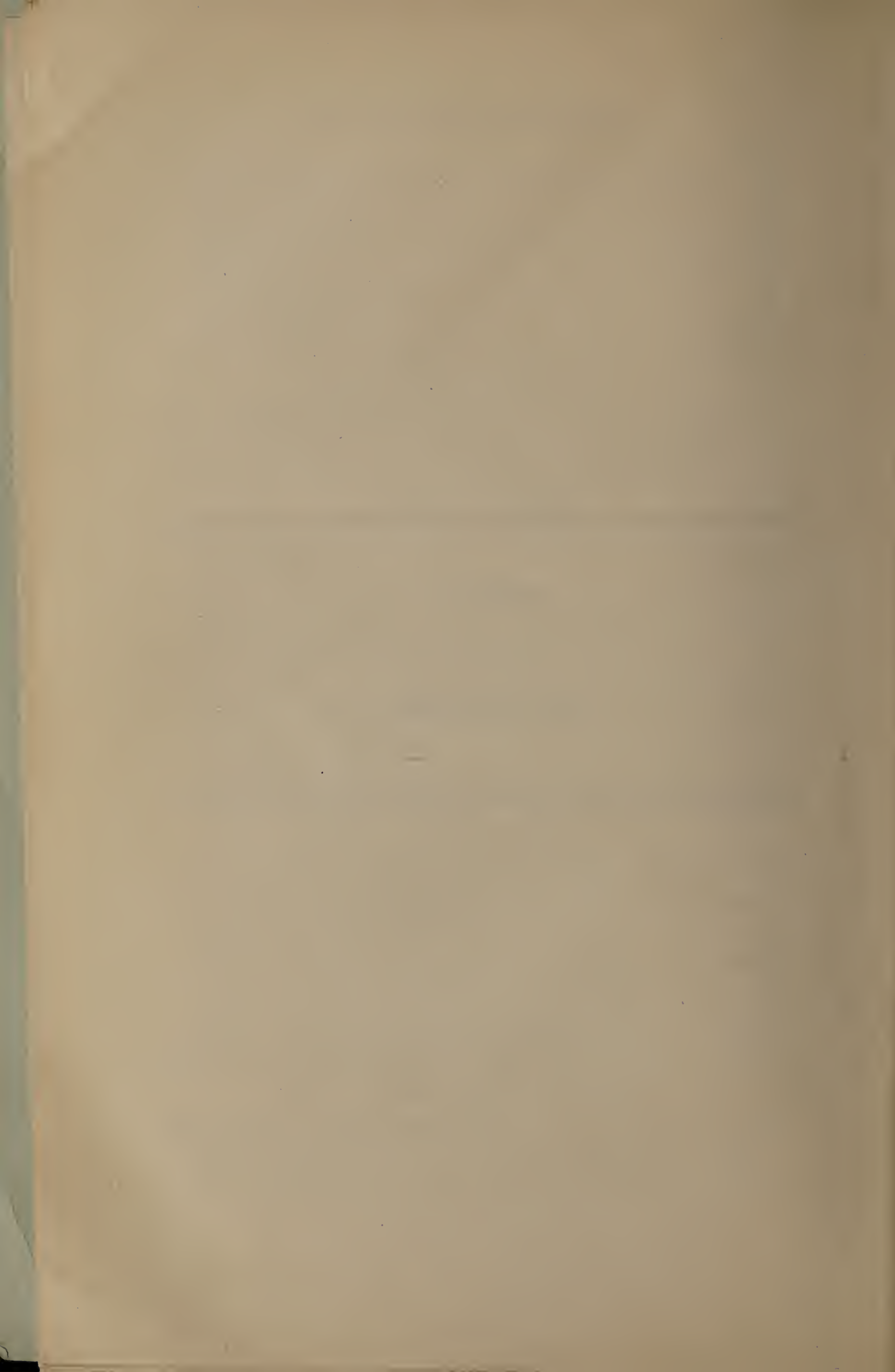
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GENERAL

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## COMPENSATION LEGISLATION IN ALABAMA

To the Governor and the Legislature of Alabama:

An Act, February 25, 1915, by the Legislature of Alabama, created the Alabama Law Reform Commission, consisting of the Governor, Chief Justice of the Supreme Court, Presiding Judge of the Court of Appeals, the Attorney General, and the Director of the Department of Archives and History, whose duty it became to make an investigation on the subject of Workmen's Compensation, registration and insurance of land titles, penitentiary and criminal institutions, conservation of the natural resources of the State, and such other subjects as to the Commission might seem important, and to report the results of its investigations to the next ensuing regular session of the Legislature, together with bills so prepared as to carry into effect such recommendations.

Under this Act the Alabama Law Reform Commission was organized in the office of Governor Charles Henderson, the personnel consisting in addition to the Governor, of Judge John C. Anderson, Judge Joel B. Brown, Hon. Lloyd Tate and Dr. Thomas M. Owen. After duly considering the duties imposed upon the Commission it was deemed advisable to confine investigations to the one subject, Workmen's Compensation. A bill was prepared, largely based on the Minnesota Act, with a few changes to conform to local conditions and with additions deemed important, these additions in the main being in line with the Nebraska and Louisiana and other state laws all of which had been tested and upheld by the courts. The bill as presented by the Commission above named became a law by legislative enactment, and was approved by Governor Thomas E. Kilby, August 23, 1919, with certain alterations, which were made through the efforts of lobbyists, and which the authors of the bill declared detrimental to its merits.

January 1, 1920, was fixed as the date when the law should become effective. The Director of the Department of Archives and History was named in the Act as Workmen's Compensation Commissioner. This ex-officio duty was placed upon the Director of the Department of Archives and History, Dr. Thomas M. Owen, under his protest, but upon being urged by representatives of both employers and em-

ployees he finally agreed to assume the duties. His death occurred early in the new year and the present incumbent succeeded him. The operation of the law during practically the entire period of its existence has therefore been in her hands.

In keeping with the law creating the Workmen's Compensation Commission of the State of Alabama it now becomes the duty of the Commissioner to prepare and submit to the Legislature of Alabama a detailed and statistical report from the records of the Insurance Commissioner of Alabama and from the reports furnished the Workmen's Compensation Commission and "from such other information as might be obtained, showing the results, as full as the same can be shown, of the operation of the Act, the number of employers carrying their own insurance, the number of employers insuring their risks with insurance companies, the number of insurance companies, associations, or corporations engaged in the business of workmen's compensation insurance in the State, the extent of such business, the premium rates charged therefor and a comparison of such premium rates with rates charged in other states, and with such recommendations as the Commissioner desires to make in reference to the amendment or improvement of this Act."

#### WORKMEN'S COMPENSATION PRINCIPLES

The necessity for a workmen's compensation law in any community is created by the fast expanding industrial conditions in this rapidly moving age. Compensation principles are founded upon the fundamental basis that the inevitable burden of industrial accidents should be borne by the industries in which they occur and that the cost of such accidents should be added to the selling price of the manufactured article and ultimately distributed among the consumers. The compensation principle is also founded on the fact that the economic and financial loss occasioned through the destruction of material or the breaking, wearing out, and replacing of tools and machinery can, in no measure, be compared with injuries to workmen. It rests on man's social nature. Society consists of members of one great body, and if one member suffers all of the members suffer with him.

A state, powerful in its citizens and its natural resources, may continue to grow, developing a fine civilization, while



some of its citizens are handicapped and are unequally bearing life's burdens. However, it is a never-failing rule that it will grow to be a stronger state, possessed of a finer civilization, if every citizen is living a normal, happy, and useful life.

Workmen's compensation laws recognize individual responsibility by denying a workman compensation for an injury he sustains through his own willful misconduct or intoxication. However, when a man is engaged in an industry doing something useful for his employer and society, his employer and society become partners, and with the workman become jointly responsible for the personal injuries he may receive in their service. Compensation laws do not absolve men from their personal responsibility, but they do more closely define the interrelations of life and better distribute the responsibility and hazard of a working and producing world among all those who receive the benefits.

Although the principle is comparatively young, experience gained from compensation laws shows that they are sound and just. The sufferings of thousands have been alleviated by its benefits; families have been kept in tact; and the working man's sense of justice has been appeased. Those who do the world's hard work are coming to realize that society, as a whole, is interested in their welfare. Through this realization and a better mutual understanding production has been stimulated; toiling conditions made safer; accidents reduced; lost time shortened and efficiency gained; life has grown sweeter, and has a fuller meaning to a multitude of toilers. We are discovering that sound, healthy, contented workingmen are more valuable than maimed and mangled employees, potential anarchists, and that a thinking man is of more value than a dumb driven animal or the most cunningly wrought machine.

No subject is of more interest to the body politic nor does any other question touch in a closer degree the public weal. Injuries are the inevitable Nemesis of production and the unavoidable harvest of industry, whose cost is measured both in money and the sacrifice of human life and limb.

Compensation, "which was conceived in doubt and brought forth in apprehension," has become a part of the world's accepted law of social justice. Employers witnessed the installation of its flexible terms with grave misgivings.

Workmen have been loath to abandon the tempting lure of big damage judgments. All have hesitated in assuming to fly from the ills we had to those we knew not of. The wonder then is that compensation got any start at all; the greater wonder that, once having been installed, it has never been abandoned by legislative order.

The principles of workmen's compensation were first conceived in Germany under the fond paternalism of Otto Von-Bismarck in 1884, when the expanding industrial conditions of that country demanded a more effective relief than either the doctrine of fellow-servant or employer's liability statutes, compensation's predecessors in legal genealogical descent. In 1889 England adopted the principle in a form vastly different from that of Germany, in that the English law precluded employee's insurance funds and industrial rehabilitation. The first law to stand the test of constitutionalism in the United States was the permanent New Jersey law passed in 1911, after which the Kansas and Minnesota statutes are patterned.

Prior to 1911 several laws of this character were enacted in various states, but were declared unconstitutional on the grounds that they all provided no exclusive remedy for an injured workman seeking redress and permitted him to approach his employer through both the employer's liability and compensation routes after failing in either one or the other. Since 1902, when the first non-permanent compensation act appeared in Maryland, the principles of workmen's compensation have secured so firm a grasp on legislative bodies of the world that in 1922 over fifty countries, comprising the greatest industrial nations of the world, have placed them on their statute books and kept them there. In North America only six of the United States still adhere to the old common law traditions; Arkansas, Florida, Mississippi, Missouri, North Carolina, and South Carolina.

#### ADVANTAGES AND BENEFITS

The conditions existing under the old common law system cannot be better set forth than in the following extract from the Report of the Alabama Law Reform Commission, Legislative Document No. 2, Regular Session 1919:

"Alabama was among the first, if not the first, state to depart from the rigor of the common law as to non-liability



for injuries under the fellow servant doctrine by creating the present Employer's Liability Act, but is a laggard in reference to the great advance that has been made upon this subject during the past twenty years. While the existing law is quite an improvement upon the common law, yet an experience with same for thirty years has demonstrated that it does not fully meet the demands of humanity or operate with fairness and uniformity upon either employer or employee. It is well known that under the present law proximate contributory negligence in the slightest degree precludes a recovery against ordinary negligence, and has often defeated most meritorious claims and left the injured employee or his dependents destitute and often a burden upon the community, as the comparative negligence doctrine does not prevail in the State. It is also well known that the enforcement of the present law is accompanied by a most complicated system of technical pleading and practice, thereby obscuring the merits of the case and often delaying or defeating the ends of justice, frequently hinging the result upon the adroitness and skill of counsel rather than upon the merits of the claim. Again, in case of recovery, there has been little or no uniformity in the verdicts rendered, sometimes one man has been awarded as much or more for a toe or a sprain than another gets for a life, a leg or an arm. Last, but not least, the system that has grown up under this law has had a strong tendency to promote champerty and maintenance to such an extent as to undermine, in many instances, the high standard of ethics that should exist with the legal profession, and thereby inflict a great hardship upon an unfortunate class who have accidentally fallen into the hands of a lawyer who regards his services for trying a damage suit as equal in value to the injury sustained by his client. It is simply abhorrent to realize that in the enforcement of this law lawyers have sometimes gotten as much for their services as their clients received for injuries that rendered them helpless for life, and in some instances got or claimed in addition to one-half of the recovery the ten per cent awarded by the Supreme Court in case of an appeal and affirmance.

Realizing the inadequacy of existing laws to properly protect a large laboring class engaged in the more hazardous sphere of work, as well as for the purpose of removing the evils attendant upon the enforcement of same, most of the

civilized countries have enacted compensation laws (while perhaps differing in detail) guaranteeing safe and uniform compensation to injured employees, except as to self-inflicted injuries or those resulting from the drunkenness or gross misconduct of the victim, and providing a method of enforcing same, expeditiously, with simplicity and at a very moderate cost in the nature of legal and medical fees."

The benefits of compensation laws have been summarized as follows:

1. The employee obtains certain and speedy relief. This relief comes at the time when it is most urgently needed, and the sum, though a moderate one, is not reduced by legal expenses.

2. The employer knows exactly what he must pay. Compensation payments are reasonable in amount. There is no longer the expense or uncertainty of damage suits. What the employer pays goes without waste to his injured workman, and the payments are usually spread out over a number of years.

3. The employer and his employees are brought into closer and more harmonious relations. The one gives up his common law defenses, and the other abandons his chance to win a verdict for heavy damages, and both adopt the principle of reasonable compensation and fixed liability.

#### SUMMARY OF THE ALABAMA ACT

The Alabama Workmen's Compensation Act as carried on the statute books comprises a document of 32 pages. The salient facts of the law, however, were presented by Lindley D. Clark in "Monthly Labor Review," October, 1919, and are as follows:

"The Alabama statute is an elective one with an abrogation of the common law defenses in case the presumed election provided for by the law is rejected. A regrettable provision of the Act is the exclusion from its operations of all employers who regularly employ "less than 16 employees in any one business;" public service is also excluded. The usual exclusion of domestic service, foreign labor, and persons whose employment is casual and not in the usual course of the trade or business of the employer is found. Acceptance of the provisions of the Act by employees of the excluded classes may be made by the filing of a written notice



with the probate judge of the county, but a special provision is to the effect "that in no event nor any circumstances shall this bill apply to farmers and their employees." A unique provision is one that limits attorney's fees to not more than 10 per cent of the compensation awarded or paid, and no part of the compensation shall be paid as fee without the approval of a judge of the circuit court.

Notice to reject the Act is effective 30 days after such notice, and a withdrawal of the rejection may be made by notice likewise effective. Direct settlements are authorized but shall not be for substantially less than the amounts fixed in the Act unless, upon the written consent of the parties, a judge of the circuit court or the probate court "determines that it is for the interest of the employee to accept a lesser sum and approves such settlement." Settlements submitted to a court for approval are to have the effect of judgments, and the costs, which shall not exceed \$2, are to be borne by the employer. The basis of compensation is 50 per cent of the average weekly wages of the injured employee, with a maximum of \$12 per week and a minimum of \$5 unless the wages are less. A schedule for specified injuries causing partial disability is embodied in the Act. Permanent total disability entitles the injured person to benefits for not more than 550 weeks with a \$5 maximum after the first 400 weeks, the total amount not to exceed \$5,000. Additional allowance is provided for children, the total not to exceed 60 per cent of the wages nor \$15 weekly. Payments to children cease at the age of 18 and to dependents generally in the event of death or marriage. Death benefits are limited to a term of 300 weeks.

Medical and surgical aid for the first 60 days at a cost not exceeding \$100 is to be supplied, and in the event of death, \$100 funeral expenses.

Two weeks waiting time is provided, but if the disability lasts as long as four weeks, payment for the first two weeks is to be made with the installment after the fourth week.

No administrative commission is provided for, the adjustment of the disputes resting with the courts. However, the Director of the Department of Archives and History is ex-officio compensation commissioner for the purpose of supplying blank forms and literature such as "he shall deem requisite to facilitate or promote the efficient administra-

tion of the Act, other than papers relating to court proceedings;" he is to keep records of all direct settlements, which are to be reported to him, and also of awards by the courts, which are likewise to be reported to him. A tabulated and statistical report showing results of the operation of the Act, facts reported as to insurance, self-insurance, etc., showing the premium rates charged in Alabama and other states, and recommendations for amendments or improvements, are to be made to the next regular session of the Legislature.

Insurance is optional, but where desired, whether in mutual companies, stock companies, or otherwise, it must be effected in accordance with provisions contained in the law and in companies authorized to conduct business in the state.

While the law cannot be unreservedly commended by reason of its rejection of an administrative board and of compulsory insurance, and also because of the excessively large number of employees necessary to bring the employer within the scope of the Act, it is a matter of congratulation that an entering wedge has been inserted into the backward territory in this quarter of the United States, there now being but six states without a compensation law.

#### SCHEDULE OF COMPENSATION UNDER WORKMEN'S COMPENSATION ACT

Compiled by Marion Rushton, Assistant Attorney General,  
October 8, 1921

##### DEFINITIONS

"Average weekly earnings received at the time of the injury." Includes allowances Sec. 13, g. "Loss of earning power" is difference between average weekly earning at the time of the injury and the average weekly earnings he is able to earn in his disabled condition. Sec. 13, b "Loss" means loss of use, and when loss of use is less than total, compensation based on proportion of loss of use applied to number of weeks provided in the schedule. Sec. 13, c: See also Corpus Juris article W. C. A., Sec. 87.

Concurrent disabilities, Sec. 13, c.

Payments in advance of settlement are credited employer, Sec. 12, b.



## FIVE CLASSES OF INJURIES COMPENSATED

I. TEMPORARY TOTAL DISABILITY: Sec. 13, a. 50% of average weekly earnings during time of disability. Dependent children under 18, 5% additional, maximum 10% additional. See Sec. 13, h. Physician, drugs and hospital, maximum \$100. Maximum, \$12 for 300 weeks; minimum, \$5 during disability, unless earning less than \$5 weekly, in such case that amount.

II. TEMPORARY DISABILITY. Sec. 13, b. 50% of loss in earning power during period of disability. Dependent children, physicians' bill, etc., as above. Maximum as above, no minimum. (Precedent to compensation.) In case of change of employer affidavit as to new wages received condition precedent to compensation.

III. PERMANENT PARTIAL DISABILITY: Sec. 13, c. For the following losses 50% of the average weekly earnings for the number of weeks indicated:

Arm .....	200	Fourth .....	15
Arms, two other than at shoulder .....	400	(Amount received for more than one finger never to exceed the amount for hand).....	150
Arm and eye.....	350	Phalange equals 1/2 fin- ger; 2 p h a l a n g e s whole.	
Arm and foot.....	400	Hand .....	150
Arm and other hand.....	400	Hands, two .....	400
Arm and leg.....	400	Hand and other arm.....	400
Ears (hearing in both).....	150	Hand and foot.....	400
Eye .....	100	Hand and leg.....	400
Eyes, both (see Total Permanent Disability).		Leg .....	175
Eye and arm.....	350	Legs, two .....	400
Eye and foot.....	300	Leg and arm.....	400
Eye and hand.....	325	Leg and eye.....	350
Eye and leg.....	350	Leg and other foot.....	400
Foot .....	125	Leg and hand.....	400
Feet, two .....	400	Thumb .....	60
Foot and eye.....	300	Toe other than great toe	10
Foot and arm.....	400	Great toe .....	30
Foot and other leg.....	400	Phalange same as in case of fingers.	
Fingers:			
First .....	35		
Second .....	30		
Third .....	20		



All other cases of permanent partial disability, 50% of loss of earnings during disability, not to exceed \$12 weekly for 300 weeks. Dependent **children**, physicians' bills, etc., as above.

Maximum \$12, minimum \$5 or wages actually earned if less than \$5 as above.

Compensation for total loss of use is in lieu of all other (Quaere as to bills of physicians).

#### IV. PERMANENT TOTAL DISABILITY. Sec. 13, d.

Both eyes: Both arms at shoulder: Paralysis: Loss of mental faculties:—50% of earnings for 400 weeks and \$5 per week for 150 weeks. Maximum, \$5,000, and as above.

Other permanent total disabilities, Sec. 13, e. 2; 50% for 400 weeks. Maximum and minimum as above. If workman enters public institution compensation payable to dependents if any, otherwise, it lapses. Injury after previous injury compensated proportionally, See Sec. 13, e, 1, 1½, 3, 4. Hernia 13, f, 1. Dependent children, physicians' bills, etc., as above.

#### V. DEATH RESULTING FROM THE INJURY WITHIN THREE YEARS. Sec. 14.

1. Dependent widow, 30%.
  2. Dependent spouse and 1 child, 40%.
  3. Dependent spouse and 2 or 3 children, 50%.
  4. Dependent spouse and 4 or more children, 60%.
  5. Dependent orphan, 30%.
- Additional orphans 10%, maximum 60%.
6. Dependent husband, 25%.
  7. Dependent parent, one 25%, two 35%.
  8. Dependent grandparent, brother, sister, mother-in-law, father-in-law, for one 20%, two 25%.

Partial dependents receive proportion of compensation provided for total dependents which deceased's contributions to the partial dependent bore to his whole income. This compensation is a pension, lasting during dependency, but never over 300 weeks. All dependents cease upon marriage or death, or in the case of children, at 18.

Maximum and minimum as above.

Expenses of last illness, unless paid by insurer or burial society without reduction of benefit to beneficiary, to be paid by employer. Maximum, \$100.00.

## DUTIES OF WORKMEN'S COMPENSATION COMMISSIONER

Under the Alabama Workmen's Compensation Law enacted in 1919 the duties of the Commissioner are defined as follows:

"33a. For the purpose of gathering statistics and performing the duties hereinafterwards required there is hereby created an office known and designated as the compensation commissioner of the State of Alabama. The Director of the Department of Archives and History of the State of Alabama shall be ex-officio the compensation commissioner of the State of Alabama.

34. The Compensation Commissioner of the State of Alabama shall prepare and cause to be printed, at the expense of the State and to be paid for as other supplies are paid for, and upon request furnish free of charge to any employee or employer such blank forms and literature as he shall deem requisite to facilitate or promote the efficient administration of this Act other than the papers relating to court proceedings, which as set forth in the section 33 are to be prepared by the Chief Justice of the Supreme Court of Alabama.

39. It shall be the duty of the Compensation Commissioner of the State of Alabama from the records of the Insurance Commissioner of Alabama and from the reports furnished to him and from such other information as he may obtain, to prepare and submit to the next regular session of the Legislature of Alabama upon its convening a detailed and statistical report showing the results, as fully as the same can be shown, of the operation of this Act, the number of employers carrying their own insurance, the number of employers insuring their risks with insurance companies, the number of insurance companies, associations, or corporations engaged in the business of workmen's compensation insurance in the State of Alabama, the extent of such business, the premium rates charged therefor and a comparison of such premium rates with rates charged in other states, and with such recommendations as he desires to make in reference to the amendment or improvement of this Act. For preparing said report, printing the same and furnishing same such Compensation Commissioner shall be paid out of the State treasury the necessary reasonable expense therefor and in addition such sum of money as may



be approved by the Governor of the State of Alabama for his services."

It will be seen at a glance that the duties of the Commissioner as defined by the Act are of a purely clerical character and that if the Act had been literally construed blanks would have been prepared and distributed to employers. When these blanks were returned to the Commissioner they would have been filed, not to be consulted again until statistics were tabulated for this report. The Commissioner did not, however, limit her activities to those stipulated duties. When reports were received in the Commissioner's office they were carefully analyzed and checked with the scale of compensation. Where error was found in the matter of payments or other phases of the law, correspondence was opened with the employer or the Circuit Judge or the insurance company, as the case required. Reports were card indexed so that all the facts covering each case are briefed and readily accessible for consultation. An extensive correspondence has been conducted in the administration of the Act.

#### DEPARTMENT OF INDUSTRY

The population of Alabama is given in the 1920 census as 2,345,716. With the development of our natural resources we are more and more becoming an industrial state. Our mines, quarries, and forests are being manufactured into commodities that are distributed to every country in the world. The ship building industry is growing on our coast, local capital is developing industries of many kinds. The great eastern cotton manufacturers have alarmed their communities by the discovery that their new buildings are being erected in close proximity to the cotton fields of the South. The development of our water powers is destined to bring to us many thousands of industrial workers. Our commerce is expanding. We need among our executive departments of the State one which will devote itself to the development of our industrial and commercial activities.

The Department of Agriculture was created by an Act of the Legislature in 1883 and in section 3 of that Act the Commissioner is required to "collect and publish statistics and such other information in regard to the industries of this State, and of other states, as may be of benefit in de-

veloping the agricultural resources of this State." But with the exception of the word "industries" which was later added to that of "agriculture" in the name of the Department there is no development of an industrial character. Although carrying the word "industries" in its caption, the duties of the Commissioner do not require him to assemble or disseminate any information relating to the industries of the State other than those that relate to agricultural development. This is a serious omission in our departmental life and should be remedied at the earliest possible moment. If the Legislature of Alabama will create a Department of Industry charged with the duties that naturally pertain to the development of commerce and industry, it can perform a great good in the business life of our commonwealth. The Workmen's Compensation Act should operate under such a commission whether composed of one or more members.

#### MESSAGES OF FOUR GOVERNORS

Four successive Governors of Alabama have recommended a workmen's compensation law and adequate machinery for its administration. The following extract from Governor Emmet O'Neal's message to the Alabama Legislature, January 12, 1915, initiated the idea of such a law from an executive source in this State and is reproduced herewith on account of the valuable statistics it contains as well as for the humanitarian quality of its appeal.

#### EXTRACT FROM GOVERNOR O'NEAL'S MESSAGE

"I most earnestly urge the passage of an adequate workmen's compensation law. Laws of this character have their origin in an intelligent and enlightened public opinion, which demands that those who are maimed, crippled or killed in the production of the country's wealth and their dependents, shall be indemnified by the public, for whom they wrought and by the employer who receives the profits of their labor. It is based upon the just theory, that all the numerous accidents and injuries which necessarily result from modern industry, with its never ceasing expanse of machine methods, are as truly elements of production as labor or capital, raw material or transportation, and the cost of caring for injured workmen and their families should be paid in such manner as to enter into the price of



the products and be paid ultimately by the consumer of these products. In other words, accidents and injuries are necessary charges upon the industry itself, which the consuming public must pay. It is recognized as manifestly unjust and unfair, that the entire burden of industrial accidents should be borne by the workers who happen to become the victims of particular accidents. Twenty-four of the forty-eight states of the Union have already adopted compensation laws, and practically all other states are now preparing bills on this subject to be presented to their next legislatures. Regardless of the opposition of selfish special interests, the day is not far distant when every state in the Union will abandon the old antiquated, unjust and unfair methods which now exist of compensating accidents in industrial enterprises and will adopt a workmen's compensation law. Such laws have already been adopted in Great Britain and most of the governments of continental Europe. It has been estimated that in the United States alone, every year we kill outright 40,000 workmen, cripple 500,000 and injure more or less seriously over two million, and that on the basis of average, every laborer will be injured at least twice during his life, every second man will be crippled and every twenty-fifth man will be killed. It has been stated that during a single year, our loss from this industrial carnage, exceeds the casualties of all of our American wars put together. There has been marvelous industrial development in Alabama and our factories are filled with dangerous machinery, driven by the powerful forces of nature. We no longer use the simple manual tools and appliances of former times and yet we still measure the rights of those who suffer from industrial accidents by an antiquated rule, which as applied to modern conditions is both unfair and inhumane. The old "judge made" defenses, which grew up from the common law, such as assumption of risk, fellow servants rule and contributory negligence, may have been justified when the simple conditions of former times existed, but their application today can only work injustice between employer and employee and relieve the employer of all liability in three-fourths of the cases that exist. Is it not manifestly unfair to say that under modern industrial conditions, the workman assumes the risk of his occupation, when we know that as a matter of fact he cannot bargain with his employer, and is generally



in no condition to refuse work, because the tools may be unfit or unsafe? If he assumes the risk, he has no option to do otherwise. How can the workman, with the vast number of employees in modern industry, by any care on his part protect himself from the faults of his fellow-workers? Few of them he personally knows, with many of them he never comes in contact and the old common law fellow servant rule as well as the doctrine of contributory negligence is being discarded in every progressive state.

Under the old system, statistics show that in seven cases out of eight the victim remains altogether uncompensated. It has been correctly stated that a personal injury suit is "a gamble in which seven lose and the eighth takes all the money." Where recovery is had, the damages recovered are generally either too small or too large. The long delays in recovery, the numerous appeals, the vicious system of contingent fees, the uncertainty of the amount which may be recovered, makes the present system wholly unfitted for modern industrial conditions. Moreover, the workman is frequently in a position where he cannot afford to sue, is a victim of ambulance-chasers, and the support of himself and his family are frequently made a burden upon public charity. Regarding the question from the standpoint of the employer as well as society, the objection to the present system is that the employer is constantly menaced by law suits and the danger of excessive verdicts and the necessity of paying large sums for defending suits and insurance premiums. The operation of the law breeds hostility between employer and employee and interferes materially with the efficiency of industrial organization. Society is injured on account of the great economic waste in the loss of productive labor and the expense of maintaining courts for this character of litigation. It has been estimated that in the United States, fully one-fifth of the time of courts and juries is taken up with this class of litigation, some even to the extent of one-third of their time. Certainly in Alabama a very large percentage of the cases tried in our courts are suits for personal injuries. When we consider the grave economic and social loss which results from industrial accidents, the cripples, the widows and orphans, the destitution and poverty which it creates, the low standard of living among our working classes which it promotes, the uncertainty of recoveries, the long delays, the unjust verdicts, the

tremendous burden which the support and maintenance of the victims of these industrial accidents impose upon society, it is not remarkable that a just and enlightened public sentiment demands the abolition of the old system as utterly unfit for our present modern industrial life.

A large per cent of the appeals which crowd the dockets of our courts of last resort is from cases involving personal injuries. The employer or the corporation sued have learned that through appeals and long delays, they can frequently gain material advantage or force an unfair compromise. It has been properly asked by whom should this burden of industrial injuries be borne? The answer is not by the wage-earner who must endure the pain and suffering the weakest economically, or by public charity or by the various branches of industry in proportion to the injury which they do. The answer to this question I quote from a recent address by a distinguished lawyer who says "Each industry should take care of its own killed and crippled so that they do not become charges upon the public as the result of some industrial accident. The principle of workmen's compensation, therefore, is that the industry in general should bear the financial burden of industrial accidents rather than the workers who happen to be the victims of particular accidents, and in order to accomplish this result it uses the agency of the employer who, in computing the cost and fixing the price of his finished product, will include a sufficient amount to cover compensation." An important question to determine is whether a statute of this character should be compulsory or elective. If the employer is to be given the choice of accepting the act or operating under the common law system, the common law defenses which now exist under the old system should be removed. The courts have repeatedly held that these common law defenses can be legally abrogated. In any bill which may be adopted, in my judgment, farm labor and domestic servants should be excepted. A compensation should be provided for all personal injuries sustained in the course of the employment, no compensation, however, to be allowed where the injury is occasioned willfully or due to intoxication. The act should fix a definite scale of compensation, for the principal purposes of compensation laws is to escape the uncertainties of the old system. The settlement should be made automatic, and an administrative board for this purpose established. Various



forms of insurance should be authorized, and insurance funds to be maintained by employers or by the employers and employees jointly, by mutual associations or through authorized accident insurance companies. One of the most important results following the adoption of compensation acts, is that it increases the use of safety appliances and thereby decreases the number of accidents. It has been claimed that fifty per cent of our accidents are preventable. A recent writer on the subject states that in Michigan under compensation, fatal accidents were reduced twenty-five per cent and non-fatal thirty-five per cent, that the United States Steel Company which employs two hundred thousand laboring men, reduced its number of accidents seventy per cent in three years.

Wherever compensation laws have been adopted, not a single effort has been made to return to the old system. It is well to remember that every effort made to introduce compensation laws has met with opposition of powerful and influential interests, and yet whenever the arguments for compensation laws are properly presented, the verdict of a just and enlightened public sentiment has been against the old system, which should no longer be tolerated by any progressive state. I therefore earnestly urge that you give this question your most careful consideration. The passage by this Legislature of a wise compensation law, would stimulate our industrial activity and would alone justify the cost of this session of the Legislature. No question for your consideration is more important or deserves more careful study, and as to which there is more imperative demand for legislative action."

It was under the executive administration of Hon. Charles Henderson that the Law Reform Commission which drafted the Alabama Workmen's Compensation Act was created. Governor Henderson in his message of January 18, 1915, said in regard to the subject:

#### EXTRACT FROM GOVERNOR HENDERSON'S MESSAGE

"That government is best which promotes the welfare and happiness of its people. It is therefore necessary that those interested with the government should be familiar with every walk of human life. Without such knowledge, it would be difficult to attempt to reconcile the differing inter-

est by which we must undertake to place the State in the front rank of commercial activity.

Society is composed of elements of which each have its own cares and interest. Each of these elements have its claims which often conflict with those of others, and yet the composition of society is such that one element depends upon the other. Within society there are therefore conflicting aims and when legislation is called in to enforce its arbitrament, it is difficult to say whether it will provide success on one side or contentment on the other. Questions that involve the welfare of society cannot be solved offhand. They have to be approached with care and weighed well at the time, until we have attained that condition where differences will be minimized and all friction adjusted by impartial bodies.

The present system of dealing with those injured in pursuit of their daily labors is not only wasteful and uncertain, but productive of antagonism between the workman and employer. An equitable compensation law would not only bring about improved relations between employer and employee, but would promote the safety of the workman. But of greater importance than compensation, is really the accomplishment of safety to the workmen. If this aim is kept in view, such conditions as are liable to produce injury will pass away and experts will be employed to minimize danger, by the introduction of safety appliances and preventives of accidents. The safety of the employees should form a part of the fixed charges on the product of industry, whereby the cost is divided between the employer, the employee and the consumer, and so minimized that it practically does not make itself felt.

Perhaps with the industrial advancement of our State we may be permitted to build the hope of the eventual introduction of compulsory accident insurance in our factories, when the premium is graduated and adjusted between the employer and the employee and added to the cost of the product. The amount paid under our present system by the employer consequent to injuries, no doubt exceeds in the aggregate the claims that would accrue under an equitable compensation act, but of the amount paid, only a small percentage reaches the injured or his dependents.

Our State is rapidly becoming an industrial country and it devolves upon your action whether the courts shall be



filled with damage suits, resulting in great economic waste to those engaged in industrial pursuits. I would recommend that you enact an equitable compensation law that the benefits which are to be derived from such legislation may ensue."

#### EXTRACT FROM GOVERNOR KILBY'S MESSAGE

The following extract from the last message of Governor Thomas E. Kilby to the present legislative body, January 9, 1923, was based on data on file in the Workmen's Compensation Commission and is reproduced for your consideration in respect to its recommendations for improvements of the law and for the creation of a commission for its administration. Its importance and responsibilities are too far-reaching and heavy to be made a side issue, or an ex-officio duty of another overburdened department. Governor Kilby's recommendations should carry great weight in view of his opportunity to observe the working of the law as chief administrative officer of the State and his own experience as a large employer of labor:

"Among the laws passed by the Legislature of 1919 none is more far-reaching in its humanitarian aspects than that of the "Workmen's Compensation Act." This law became effective January 1, 1920, its administration through the Act being placed in the hands of the Director of the Department of Archives and History. There have been reported to the Commissioner since that date and to October 1, 1922, a total of 16,304 compensable cases of injured workmen. The amount of compensation paid to these men by employers and compensation insurance carriers totals \$1,406,972.63. The number of cases adjusted through the circuit courts during that period was 376 with an award value of \$406,961.07.

The above figures refer only to those cases in which the period of disability exceeded two weeks. None of the foregoing figures include medical expenditures, burial and other expenses, covering only compensation.

Under the Act employers working sixteen (16) or more men automatically come under the law unless they elect not to do so. Many of these carry their own insurance without any form of bond while the majority insure their risks by compensation underwriters operating in Alabama.

## AMENDMENTS SUGGESTED

Since the enactment of the Workmen's Compensation Law and three years' experience the need for amendments is apparent. The Act should be re-written and couched in language intelligible to all, including the working man himself. The table of specific awards should be tabulated instead of reading continuously as at present, and a section set aside for definitions of the terms used, to be arranged alphabetically. Instead of applying only to employers working sixteen or more employees the number should be reduced to five (5). The coverage of railroad employees should be explicitly defined. The law at present specifically states that it shall not apply to any common carrier (doing an interstate business) while engaged in interstate commerce. At present three railroads in Alabama are reporting accidents occurring to shop men. Thousands of trackmen, section hands, and others are left with no organization to look after their interests in case of accident. Trainmen proper constitute but approximately one-fourth of the total railroad employees, shopmen excluded. The Act should also clearly define what stevedores and longshoremen are engaged in admiralty activities.

Under the present Act settlements may be made for an amount "substantially" the same as the specific benefits of the Act, which leaves settlements within the discretion of the court. There is a conflict in the same section as to the court jurisdiction in making settlements; in one subsection the authority is fixed in the circuit and another in the probate court. The rights granted to an injured workman should not be waived by any court or individual.

In view of the fact that a number of employers subject to the law are on a precarious financial basis, less favorably situated to install safety devices, and operating a hazardous business, it is highly desirable that some form of bond be required of self-insured employers for the protection of injured workmen in case of financial disasters. In such plants the injured workmen now have no protection whatever.

The Act should be amended making it a misdemeanor and punishable by fine for any employer to charge his insurance premiums against any of his employees. The Act's benefits should be extended to cover occupational disease and disfig-



urement. When minors are illegally employed and injured in violation of the Child Welfare Act of Alabama the compensation paid by an employer should be increased 100 per cent.

The waiting period under the Alabama Act, or the fourteen days following an injury before compensation begins, should be reduced to seven (7) days, compensation beginning on the morning of the eighth day after the accident and becoming retroactive to the first day of disability upon the twenty-second day after the accident. The workmen's compensation laws of several states in the Union do not allow any lapse from accident to beginning of payment. A number have three days, more still have five, whereas those states that have fourteen days waiting period are reducing to seven days, or less, as fast as their legislatures meet.

The present percentage of payments in non-fatal cases should be increased from 50, 55 and 60 per cent of the average weekly wages to 55, 60 and 66  $\frac{2}{3}$  per cent. The weekly maximums of \$12.00, \$13.00, \$14.00 and \$15.00 should be increased to \$14.00, \$16.00, \$18.00 and \$20.00. The present limiting of dependents in non-fatal cases to "children under 18 years of age" should be changed so as to apply to all persons totally dependent on the injured workman regardless of their relationship, and including the wife of the injured man.

The schedule of awards for permanent partial disabilities should be restated and considerable increase specified. There is no reason why an Alabama workman should be allowed 50% of his weekly wages for 200 weeks for the loss of an arm, while in New York and other states, the workman is paid 66  $\frac{2}{3}$ % of his weekly wages for 312 weeks. The same discrepancy prevails for other lost members and senses, such as sight, hearing, etc.

In fatal accidents the payments should stop at the remarriage of the widow. The orphans should receive their compensation regardless of their mother's remarriage until they become eighteen years old. In case of the widow's remarriage the compensation payments should be made to the probate judge of the county in which the orphans reside, he becoming custodian of the compensation paid them, such funds to be disbursed at his discretion for their education and benefit.

Under the present Act medical treatment may not exceed sixty days with a maximum expenditure of \$100.00 by the employer. Experience under the law shows that \$100.00 is frequently inadequate, especially where hospital treatment and surgical operations are called for. The present allowance of \$100.00 for burial expenses should be increased. A schedule of physicians' fees should be adopted to secure uniformity throughout the State and a time limit fixed for the presentation of the physician's bill.

At present Alabama has no law requiring the installation of safety devices in industrial plants. Such an amendment should be made to the workmen's compensation law and inspectors provided. The law should call for the services of a law enforcement officer of this State and such other work as the Commissioner, in conference with the chief executive of the State, should deem wise looking to the proper enforcement of the law.

All accidents in which an expenditure is made for any reason should be reported to the Commissioner within seven days. The present Act affords an opportunity for delaying reports and prevents a prompt review of the case by the Commissioner. A penalty should be assessed against every employer who fails to report accidents or submits incomplete reports to the Commissioner. Physicians should be required to report to the Commissioner every industrial accident treated by him on blanks furnished for this purpose and a penalty assessed for each case of delinquency. Every employer subject to the compensation law, as amended, should be required to register with the Commissioner on blanks furnished for that purpose and failure to so register should subject such employer to a fine. Under the present law it is impossible for the Commissioner to know whether all employers of the State amenable to the law are reporting or not.

Probate judges, with whom notices of election not to come under the Act, are filed should be required to supply the Commissioner with duplicates of such notices. The Commissioner should be authorized to amend the report blanks now in use and create new ones as the necessity arises.

A very important amendment that should be enacted is a provision that no employer's first report of injury should be submitted to the Commissioner through a second party



or parties. Any other method than this admits of delay (either willful or not) in the insurance carrier's department and affords a source of uncertainty and annoyance in the analysis of reports.

The Legislature made no specific provision for salaries or expenses for the conduct of the workmen's compensation division, leaving the matter to the discretion of the Governor. The present Commissioner has conducted the work during her entire term of office without remuneration and with the assistance of only one clerk, whose salary is paid from the Governor's Contingent Fund. The cost of printing and distributing the accident report blanks, postage, office supplies, clerk's hire, etc., has amounted to a total of \$6,126.29, from January 1st, 1920 to October 1st, 1922.

On account of the importance and scope of the work devolving upon the administration of the workmen's compensation law the duties should be performed by a commissioner who has no other official position and an adequate clerical and field force should be provided.

The authority of the Commissioner should be increased from the present status of a mere statistician to that of an executive with proper powers looking to the development of the law along the broadest and most useful lines."

#### GOVERNOR BRANDON'S MESSAGE

On January 16, 1923, Governor William W. Brandon read to the Legislature his initial message and herewith is reproduced that section relative to the Workmen's Compensation Commission:

"There has been no piece of social legislation in recent years of more importance than the Workmen's Compensation Act. Its importance to the employer as a means of reducing and almost eliminating litigation for injuries to employees is recognized. It is a factor in promoting more cordial relations between employer and employee, which should be earnestly encouraged. It is a step toward according justice to the unfortunate injured or his dependents in not requiring him to assume the entire hazard of the employment and nearest of any known or developed experiment in the humanitarian principle of government; the public is thus in large measure protected against further increase in its quota of helpless dependents.

The Legislature of 1919 enacted a Compensation Law that has been in operation for the past four years. Experience has demonstrated the necessity of its amendment. The present law provides supervision or administration upon the circuit judges an additional burden almost impossible of thorough accomplishment. However conscientious the judge, yet it is a physical impossibility to make the complete investigation of many cases, consonant with the desired social and altruistic purposes of the law. It would now appear as the law is administered that it is secondary in importance and but a side issue to the Judicial Department of the State Government. More than 112,600 of the citizens of Alabama are subject to the provisions of the Compensation Act, too large a proportion for this economic and social welfare to be on secondary consideration.

The experience of other states, where the law has been longer in force, has demonstrated the wisdom of its administration by a separate body. Therefore, I would recommend to the Legislature the creation of an Industrial Commission to be appointed by the Governor for such term as it is deemed wise, a chairman and two associate members, at such salary as you deem commensurate with the importance of the service to the State. The expenses of the Commission should be provided for in the Act, and should not be paid from the present income of the State or out of the State treasury, but should come from fees from those who have matters before the court. And this Commission should be made self-sustaining.

There are many features of the present law deserving in some instances of radical amendment too numerous to include in this message. I would commend to the Legislature for its information and careful study the provisions of the Ohio law relative to the establishment of the Commission and its duties of administration. This law seems to have met the situation. I am informed it meets the general approval of all classes."

#### INDUSTRIAL COMMISSIONS OF TWENTY STATES

It will be seen that both Governor Kilby and Governor Brandon recommend the establishment of an adequate commission or department to handle the business of this phase of our industrial life. One of the most vital aspects of a



rewritten workmen's compensation law will be its method of administration. Shall the courts or a commission adjudicate disputes between employer and employee? Shall there be one or three commissioners? Shall there be a unification of one or more already existing departments with a three or five headed commission?

These matters will no doubt be brought forward for legislative discussion. For your information the following table is offered to show the practice in other states of the Union:

**Industrial Commissions of Twenty States—The Laws Administered,  
the Manner of Administration, and Their Official and  
Clerical Personnel**

**SELECTED STATE INDUSTRIAL COMMISSIONS**

**Table No. 1—Laws and the Manner of Their Administration**

State or Province	Laws Administered	Type of Administration
ALABAMA .....	Compensation law .....	Courts.
British Columbia.	Compensation and safety laws.....	Commission, Exclusive State Fund.
California .....	Compensation law, rehabilitation law, State safety laws, and State insurance fund.....	Commission, Compet. Fund.
Colorado .....	Compensation law, State Insurance Fund, and Minimum Wage Law .....	Commission, Compet. Fund.
Idaho .....	Compensation law, also authority to make and enforce safety laws	Commission, Compet. Fund.
Illinois .....	Compensation law and conciliation and arbitration act.....	Private Insurance, Commiss'n.
Indiana .....	Compensation law, woman and child labor, factory inspection, and accident prevention work.....	Commission, Priv. Insurance.
Maryland .....	Compensation law and State Insurance Fund .....	Commission, Compet. Fund.
Massachusetts .....	Compensation law and rehabilitation work .....	Commission, Priv. Insurance.
Michigan .....	Compensation law .....	Commission, Compet. Fund.

State or Province	Laws Administered	Type of Administration
Montana .....	Compensation law, State Insurance Fund, and safety laws.....	Commission, Compet. Fund.
Nevada .....	Compensation law and State Insurance Fund .....	Commission, Compet. Fund.
New York .....	Compensation law, State Insurance Fund, woman and child labor, factory inspection, conciliation and arbitration, and immigration .....	Comm., Compet. State Fund.
Ohio .....	Compensation law, State Insurance Fund, woman and child labor, factory inspection, conciliation and arbitration, immigration .....	Commission, Exclu. Fund.
Ontario .....	Compensation law and State Insurance Fund .....	Commission, Exclu. Fund.
Oregon .....	Compensation law, State Insurance Fund, and enforcement of various labor laws in conjunction with State Labor Department .....	Commission, Compet. Fund.
Pennsylvania .....	Compensation law .....	Commission, Compet. Fund.
Utah .....	Compensation law, State Insurance Fund, woman and child labor, factory inspection, conciliation and arbitration .....	Commission, Compet. Fund.
Washington .....	Compensation law, State Insurance Fund, woman and child labor, factory inspection, conciliation and arbitration, immigration, etc. ....	Commission, Exclu. Fund.
West Virginia .....	Compensation law and State Insurance Fund .....	Comm., Exclu. State Fund.
Wisconsin .....	Compensation law, accident prevention, factory inspection, woman and child labor, arbitration and conciliation, and immigration .....	Commission, Priv. Insurance.

All of the above state administrations are commissions. There are 34 states which utilize this form of administration. The second form of administration of industrial commissions is the self-administrative or court type, of which there are 11.



Table No. 2—Personnel, Administrative and Clerical, of the Foregoing Selected States, With Administrative Cost

State of Province	Estimated Number of Employees Covered by Compensation Act	Number of Commissioners	Term of Office (Years)	Number of Employees		Annual Administrative Expenses	
				Commission	State Fund	Commission	State Funds
ALABAMA .....	126,890	*1		1		\$2,042.09	
<b>Private Insurance States:</b>							
Illinois .....	871,890	5	4	57		\$ 119,297	
Indiana .....	502,729	5	4	13		\$ 27,929	
Massachusetts .....	1,109,134	6	5	83		\$ 159,855	
Wisconsin .....	405,009	3	6	22		\$ 36,855	
<b>Competitive State Fund States:</b>							
California .....	611,941	3	4	77	237	\$ 175,290	\$ 511,357
Colorado .....	137,157	3	6	18	9	\$ 56,598	\$ 17,800
Idaho .....	50,119	3	6	5	15	\$ 15,542	\$ 34,392
Maryland .....	188,433	3	6	21	8	\$ 63,915	\$ 26,000
Michigan .....	597,585	3	6	28	16	\$ 61,551	\$ 42,986
Montana .....	56,826	3	4	5	3	\$ 27,000	\$ 9,000
New York .....	2,503,020	5	6	263	173	\$ 422,447	\$ 385,665
Pennsylvania .....	2,149,867	3	5	159	85	\$ 334,063	\$ 336,103
Utah .....	60,396	3	6	10	9	\$ 25,000	\$ 17,412
<b>Exclusive Fund States:</b>							
British Columbia .....	110,000	3	10	46		\$ 81,806	
Nevada .....	24,746	3	4	8		\$ 34,061	
Ohio .....	1,008,813	3	6	214		\$ 443,148	
Ontario .....	500,000	3	†	72		\$ 207,052	
Oregon .....	98,910	3	4	119		\$ 202,208	
Washington .....	191,458	3	6	89		\$ 203,595	
West Virginia .....	212,812	1	6	42		\$ 80,423	

\*Ex-officio. †Life.

Table No. 3—Personnel and Salaries of Private Insurance States, Administrative Personnel

State or Province	Estimated Number of Employees Subject to Comp. Act	Chairman of Commission	Commissioners	Fund Managers	Secretary	Claims Manager
ALABAMA .....	126,125		*			
Illinois .....	871,890	\$ 5,000	\$ 5,000		\$ 3,300	\$ 3,300
Indiana .....	502,729	\$ 4,000	\$ 4,000		\$ 2,500	
Massachusetts .....	1,109,134	\$ 3,500	\$ 5,000		\$ 4,500	
Wisconsin .....	405,000	\$ 5,000	\$ 5,000		\$ 3,780	\$ 3,650

\*Ex-officio.

Table No. 3-A—Personnel and Salaries of Private Insurance States—  
Clerical Personnel

State or Province	Estimated Number of Employees Subject to Comp. Act	Chief Actuary or Auditor	Statis- tician	Clerical Rates	Steno- graphic Rates
ALABAMA .....	126,125			—\$2,042.09	
Illinois .....	871,890		\$ 2,540	\$ 900—\$ 1,440	\$ 1,200
Indiana .....	502,729			\$ 1,080—\$ 1,200	\$ 1,500
Massachusetts .....	1,109,134		\$ 2,500	\$ 780—\$ 900	
Wisconsin .....	495,009		\$ 3,000	—\$ 1,020	\$ 1,000

Table No. 4—Personnel and Salaries of Competitive State Fund States

State or Province	Estimated Number of Employees Subject to Comp. Act	Chair- man of Commis- sioners	Commis- sioners	Fund Manager	Secre- tary	Claims Manager
California	611,941	\$ 5,000	\$ 5,000	\$ 10,000	\$ 2,600	\$ 2,400—\$ 3,150
Colorado	137,157	\$ 4,000	\$ 4,000	\$ 3,000	\$ 3,000	\$ 3,000
Idaho	50,119	\$ 3,000	\$ 3,000	\$ 3,600	\$ 1,920	\$ 1,500
Maryland	188,433	\$ 5,000	\$ 5,000	\$ 3,000	\$ 3,000	\$ 2,200
Michigan	507,585	\$ 3,500	\$ 3,500	\$ 3,300	\$ 2,500	\$ 2,400
Montana	56,826	\$ 6,000			\$ 2,100	\$ 1,500
New York	2,503,020	\$ 8,000	\$ 8,000	\$ 8,000	\$ 6,000	\$ 3,000—\$ 6,000
Pennsylv.	2,149,867	\$ 7,500	\$ 7,000	\$ 7,500	\$ 5,000	\$ 3,000—\$ 4,500
Utah	60,396	\$ 4,000	\$ 4,000	\$ 3,000	\$ 1,680	

Table No. 4-A—Personnel and Salaries of Competitive State Fund  
States—Clerical Personnel

State or Province	Estimated No. of Employees Subject to Compensation	Chief Actuary or Auditor	Statistician	Clerical Rates	Stenographic Rates
California .....	611,941	\$2400	\$1800—Com \$3000—Fnd	\$720Com—\$1320— Fund .....	\$900—\$1500
Colorado .....	137,157		\$1800	\$1200	\$1200
Idaho .....	50,119	\$1800	\$1380	\$900—\$1200	\$1200
Maryland .....	188,433	\$1900		\$960—\$2000	\$960—\$1200
Michigan .....	597,585	\$2200		\$1000—\$1200	\$1000—\$1200
Montana .....	56,826		\$1200	\$1200	\$1200
New York .....	2,503,020	\$7000	\$3500—Fnd \$4000—Com		
Pennsylvania .....	2,149,867	Com\$5000 Fun\$3000	\$1800 to \$3000	\$1200—\$1500	\$1020—\$1050
Utah .....	60,396	\$2100		\$1500	\$1080



Table No. 5—Personnel and Salaries of Exclusive Fund States—  
Administrative Personnel

State or Province	Estimated Number of Employees Subject to Comp. Law	Chair- man of Commis- sioners	Commis- sioners	Fund Manager	Secre- tary	Claims Manager
British Columbia.....	110,000	\$ 6,500	\$ 5,000	.....	\$ 4,200	\$ 2,200
Nevada .....	24,746	\$ 4,000	.....	.....	\$ 1,800	\$ 3,000
Ohio .....	1,008,813	\$ 5,000	\$ 5,000	.....	\$ 3,000	\$ 2,400
Ontario .....	500,000	\$ 10,000	\$ 7,500	.....	\$ 4,490	\$ 4,490
Oregon .....	98,910	\$ 36,000	\$ 3,600	.....	.....	\$ 2,268
Washington .....	191,458	\$ 4,200	\$ 4,200	.....	\$ 3,000	\$ 2,100
West Virginia .....	212,812	\$ 6,000	.....	.....	\$ 3,600	\$ 2,400

Table No. 5-A—Personnel and Salaries of Exclusive State Funds—  
Clerical Personnel

State or Province	Estimated Number of Employees Subject to Comp. Act	Chief Actuary or Auditor	Statis- tician	Clerical Rates	Stenographic Rates
Brit. Columbia	110,000	\$ 2,200	\$ 1,260	\$ 840—\$ 1,080	\$ 1,080
Nevada .....	24,746	\$ 3,000	.....	\$ 1,500	\$ 1,500
Ohio .....	1,008,813	\$ 4,000	.....	.....	.....
Ontario .....	500,000	.....	\$ 3,900	\$ 600—\$ 900	\$ 600—\$ 900
Oregon .....	98,910	\$ 2,400	\$ 2,100	\$ 840—\$ 1,200	\$ 780—\$ 1,140
Washington ...	191,458	\$ 2,400	\$ 2,400	\$ 840—\$ 1,200	\$ 960—\$ 1,200
West Virginia	212,812	\$ 3,900	.....	\$ 1,200—\$ 1,680	\$ 1,080—\$ 1,200

Note: Employees subject to compensation laws estimated upon the figures of the 1910 occupational census.

## FUNCTIONS OF COMMISSIONS

The variation of duties and functions of the industrial commissions are due to the difference in the laws and to the importance attached by each commission to the different laws which it is charged to administer. In the larger industrial states the commissioners devote their entire time to the administration of the compensation law and the hearing of cases in question. In other words their duties are more judicial than administrative. Several states have divided the duties of the commission among its several members equally.

Of the foregoing states (20 in number) 10 commissions are limited to the administration of the compensation law

alone. Four commissions administer safety laws in addition to their other duties. Six of the foregoing states administer the entire body of labor laws. The Pennsylvania commission's duties relative to compensation matters are divided between two administering bodies, viz.: (a) workmen's compensation board, (b) department of labor and industry. (a) is charged with judicial decisions and (b) administers the labor laws. In addition to the administrative duties of the commission in the exclusive-fund states it establishes insurance rates and performs other actuarial duties.

Compensation laws are administered as a rule by industrial accident commissions or boards composed of from three to five members. Two states have one commissioner and Massachusetts has six commissioners. In most of the states the commissioners' duties are limited to the administration of the compensation act. In others, however, it is charged with the administration of the entire body of labor laws. In most states having state insurance funds, the commission is also charged with the fund's administration.

#### STATE ACCIDENT INSURANCE FUNDS

In view of the fact that a State Accident Insurance Fund Act will most likely be proposed to the Legislature, the Workmen's Compensation Commissioner deems it her duty to present in this report, arguments both for and against a State fund. Wide differences of opinion exist concerning the merits and demerits of such a fund between men of equal ability and integrity. The advocates of the competitive system claim that the friends of an exclusive state fund theory are socialistic propagandists. The advocates of a monopolistic state fund on the other hand bring forward the facts which they claim reduce the cost of insurance to employer and make possible a more liberal allowance to the injured workman.

The following table sets forth the insurance features of different state compensation laws, revised to January 1, 1923:



Insurance Features of State Compensation Laws, Revised to  
January 1, 1923

State	Compulsory or Elective	Insurance	Administration
Alabama .....	Elective.....	Not required .....	Courts.
Alaska .....	Elective .....	Not required .....	Courts.
Arizona .....	Compulsory ...	Not required .....	Courts.
California .....	Compulsory ...	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Ac. Commn.
Colorado .....	Elective .....	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Commn.
Connecticut .....	Elective .....	Private companies, self in- surance .....	Board of 5 Comp. Commissioners.
Delaware .....	Elective .....	Private companies, self in- surance .....	Indus. Ac. Board.
Georgia .....	Elective .....	Private companies, self in- surance .....	Indus. Accident Com.
Hawaii .....	Compulsory ...	Private companies, self in- surance .....	Indus. Ac. Board for each county.
Idaho .....	Compulsory ...	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Ac. Board.
Illinois .....	Compulsory ...	Private companies, self in- surance .....	Indus. Comm.
Indiana .....	Elective .....	Private companies, self in- surance .....	Industrial Board.
Iowa .....	Elective .....	Private companies, self in- surance .....	Indus. Commissioner.
Kansas .....	Elective .....	Not required .....	Courts.
Kentucky .....	Elective .....	Private companies, self in- surance .....	Workmen's Comp. Bd.
Louisiana .....	Elective .....	Not required .....	Courts.
Maine .....	Elective .....	Private companies, self in- surance .....	Indus. Ac. Comm.
Maryland .....	Compulsory ...	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Ac. Comm.
Mass. ....	Elective .....	Private companies .....	Indus. Ac. Board.
Michigan .....	Elective .....	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Ac. Comm.
Minnesota .....	Elective .....	Not required .....	Indus. Ac. Comm.
Montana .....	Elective .....	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Ac. Board.
Nebraska .....	Elective .....	Private companies, self in- surance .....	Compensation Commr.
Nevada .....	Elective .....	Exclusive State Fund.....	Indus. Commission.
New Hamp.....	Elective .....	Self insurance .....	Courts.

State	Compulsory or Elective	Insurance	Administration
New Jersey .....	Elective .....	Self insurance, private com- panies .....	Work. Comp. Bureau.
New Mexico.....	Elective .....	Private companies, self in- surance .....	Courts.
New York.....	Compulsory ...	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Commission.
North Dakota.	Compulsory ...	State Fund exclusive.....	Work. Comp. Bureau.
Ohio .....	Compulsory.....	Exclusive State Fund, self insurance .....	Indus. Commission.
Oklahoma .....	Compulsory ...	Private companies, self in- surance .....	Indus. Commission.
Oregon .....	Elective .....	State Fund exclusive.....	Indus. Acc. Comm.
Pennsylvania .	Elective .....	Competitive State Fund, pri- vate companies, self in- surance .....	Work. Comp. Board.
Porto Rico .....	Elective .....	State Fund exclusive.....	Work. Relief Com.
Rhode Island ...	Elective .....	Private companies, self in- surance .....	Courts.
South Dakota.	Elective .....	Private companies, self in- surance .....	Indus. Commissioner.
Tennessee .....	Elective .....	Private companies, self in- surance .....	Courts.
Texas .....	Elective .....	Private companies .....	Indus. Ac. Board.
Utah.....	Compulsory ...	Competitive State Fund, pri- vate companies, self in- surance .....	Indus. Commission.
Vermont .....	Elective .....	Private companies, self in- surance .....	Commr. of Industries.
Virginia .....	Elective .....	Private companies, self in- surance .....	Indus. Commission.
Washington ...	Compulsory ...	State Fund exclusive.....	Indus. Insur. Dept.
West Virginia.	Elective .....	Exclusive State Fund, self insurance .....	Comp. Commissioner.
Wisconsin .....	Elective .....	Private companies, self in- surance .....	Indus. Commission.
Wyoming .....	Compulsory ...	State Fund exclusive.....	Courts.

Monopolistic state insurance fund laws were adopted comparatively early in American workmen's compensation laws, in Washington, Ohio and Nevada in 1911, in West Virginia and Oregon in 1913, and in Wyoming in 1915. The exception is in the North Dakota Act which became a law through the Non-Partisan League in 1919. In 26 states having workmen's compensation laws there is no state fund insurance. In a recent report of the Connecticut Board of Compensation Commissioners, the following statement concerning monopolistic insurance is made:



“Anything which cannot stand up under competition justly should fail. While the state fund system has features which are desirable in many respects, its advocates usually seem to feel that a monopoly is necessary for it to properly function. By the competitive plan—and that is the plan upon which our state operates—it seems that the most desirable results are obtained. Competition always keeps up a healthy activity and is always conducive to improvement, and those who fail to keep abreast of the times fall by the wayside. The competitive plan is neither socialistic nor utopian but it would appear to the conservative thinker that it is based upon enduring principles.”

A committee of the Senate and House of Representatives of the Minnesota Legislature made a very thorough investigation of the question of state accident insurance fund through hearings in Minnesota, Ohio, Pennsylvania, Maryland, New York, Massachusetts, Connecticut, British Columbia, Washington, Oregon and Wisconsin. The majority reports of both committees filed in 1921 were to the following effect: “We find no facts which would warrant the institution of a state insurance fund.”

#### OHIO'S EXPERIENCE

The following points against the Ohio monopolistic state fund insurance of workmen's compensation were epitomized in a report issued by the Workmen's Compensation Publicity Bureau, New York:

“1. It has thrown a function of private business into politics, turning matters requiring expert knowledge and business efficiency over to low-grade job hunters; and it has withdrawn the large financial reserves, required for insurance, from normal investment in private industry, turning them over to politicians to create artificial markets for favored municipal securities.

“2. It has subjected industrial employers to arbitrary premium rating, with arbitrary and uncertain penalties, without due regard for individual merits, and with little regard to fair classification.

“3. Through indiscriminate premium rating and failure to provide any accident prevention service, it has made insurance a hindrance instead of an aid to the “safety first” movement.

"4. By imposing the burden of proving, adjusting and controlling claims, through multitudinous reports to the commission, upon employers, injured employees and their doctors, it has compelled injured employees to suffer long delays in obtaining their compensation payments, has driven the doctors to rebellion and bad service, and has put the employers to much needless trouble and expense.

"5. Being exempt from all independent supervision and regulation by the Insurance Department, the management of the state fund, in order to gain popularity, at first fixed the premium rates too low, then, when compensation was made compulsory (with the state fund having a monopoly of the insurance), the rates were jumped 30%, and now (in order to balance) are being jacked up inordinately, in part openly and in part by loading with penalties. In other words, the insurance has been cheap at first, but dear in the end."

This same report states in regard to a comparison of the Ohio fund's rates with the companies' manual rates in other states that allowance must be made for the following elements of difference:

"1. The Ohio rates do not cover the cost of administration, which is borne by the taxpayers; whereas the companies' rates not only cover all cost of administration but also include about 3½% for taxes.

"2. The Ohio state fund gets 2 per cent of its income from the self-insurers, and uses this income from the self-insurers largely to pay losses of those insured in the state fund, thereby reducing the rates for insurance in the fund pro tanto.

"3. The Ohio rates do not cover losses in damage cases, and, in Ohio, under frequent conditions injured employees have an option to sue their employers for full damages. In contrast, the companies' rates cover all liability to employees.

"4. The Ohio manual rates generally are levied on the full salaries of the clerical and executive forces, if any of those forces are exposed to the manufacturing hazard; whereas the companies' rates are applied only to the salaries of those of the clerical and executive force who are exposed to such hazard.

"5. The Ohio manual rates are minimum, the rates actually levied being loaded or increased, as penalties for past



losses, and averaging much higher than the manual; whereas the companies' manual rates are subject to reductions for good merit rating as well as to penalties for bad merit rating, and average on the whole considerably below manual.

"In other words, for comparative purposes, the Ohio manual rates are fictions."

In 1919 an examination of the Ohio state fund was made by the late E. H. Downey of the Pennsylvania Insurance Department. Mr. Downey, in effect, was selected by the management of the Ohio fund examination and was himself far from hostile to a state fund. Nevertheless he reported, in substance, that the Ohio fund had done practically nothing for accident prevention, that it did not directly employ directors or safety engineers, that it did not have an adequate relationship with the inspection department of the Industrial Commission, that it had made practically no use of its statistical material, that risks were not rated upon the basis of physical hazards, and that its system of merit rating was defective and inequitable.

It is claimed for the insurance companies that they furnish in return for their premiums most valuable safety work, through a rating system which distributes the cost of insurance in proportion to risks, thereby forming an incentive to the reduction of risks, and second, an expert inspection service, to learn the cause of accidents and to eliminate such causes.

It is this difference in service between the competitive insurance system rather than the claimed economy of the state monopolistic fund, that should make the former the preferred method. In a report made by the House Committee of the Minnesota Legislature the following statement was made:

"No appreciable increase in the gross amount of compensable benefits paid to injured workmen or their dependents has resulted from the adoption in any state of the state fund plan of administration."

The most serious defect found in the monopolistic state fund experience is the delay in payments. The Minnesota legislative committee stated that "Workmen's compensation is more promptly paid by private insurance carriers than by either competitive or monopolistic state funds."

In response to a questionnaire widely distributed among employers in the state of Ohio in 1919, by the Ohio Board of Commerce, over 3,100 employers replied in favor of an amendment to the compensation act to abolish the state insurance monopoly, as against less than 200 opposed and less than 100 doubtful.

#### FAVORING STATE FUND

There appeared in the American Labor Legislation Review an article by Miles M. Dawson, a consulting actuary, of New York city, strongly favoring the state fund idea. Mr. Dawson was engaged during 1919 in an official investigation of the state insurance funds for workmen's compensation in the three states of Ohio, Pennsylvania and New York. In Ohio the fund is exclusive, while in Pennsylvania and New York, commercial insurance companies are permitted to compete against the state funds. All three funds were found to be in sound and prosperous condition. Mr. Dawson claimed that, compared with stock insurance companies, a state fund results in the saving of millions of dollars every year to employers, while at the same time providing most certain and liberal benefits to injured workers and their families. He says: "In low expense of management they set new records, not merely for themselves, but for all carriers of workmen's compensation insurance throughout the world." Mr. Dawson found, however, that the system afforded an opportunity for constructive suggestions. "These," he said, "relate not at all to the integrity and benefits of the state funds nor even to the economy of their management, but entirely to the greatest possible dispatch and efficiency in making full and just payments to injured workers who are entitled to them.

"It is not that the state funds have done worse in this respect than the stock insurance companies, because they really have done better. It is that any bad features of administration should be weeded out, for discussion, and every effort made to attain the maximum of excellence.

"Great economies in expense of management were expected from the state funds; in actual practice, as we have seen, they have been extraordinary. But there is the danger that economy may carry to such unnecessary extremes that delay in making awards may result, as in Ohio, to some ex-



tent; or, as in New York, important features of administration, such as statistical, accounting, payroll auditing, or detecting and routing out, if not preventing evils or "holding up" claimants may suffer because salaries have been kept too low. Traces, too, were found of bureaucratic flaws on the part of some officials. Such evidences of slackness, however, were not accompanied by any proof that in consequence the results were poorer with respect to net cost to employers or net returns to injured workmen and their families; instead the records of the state funds along these lines were consistently better than those of the commercial insurance companies."

Mr. Dawson says further: "Altogether, the state funds for workmen's compensation insurance are shown by my investigation to be extraordinarily successful. They are financially sound; they are operated on the strictest actuarial principles; they reduce management expenses to a minimum. They have made steady progress, even under competitive conditions, for in Pennsylvania the premium receipts of the fund have increased from \$804,234 in 1916, to \$2,456,062 in 1918, and in New York from \$689,764 in the last six months of 1914, to \$1,867,841 in the last six months of 1918. They permit increasingly liberal benefits for injured workers and their families. They result in enormous savings to industry. In New York, for instance, employers who are insured in the state fund, have been saved about \$4,000,000 in four and a half years over and above what it would have cost had the same insurance been carried in stock insurance companies; and if all employers in this state insured by stock companies had placed their insurance with the state fund they would have saved during the same period the very large sum of \$18,000,000—which, of course, would have represented an even larger saving to the consuming public. In Ohio the exclusive state fund has saved insured employers at least \$15,000,000."

The following arguments pro and con briefly stated both for and against the state fund were presented in a work, "Liability and Compensation Insurance," by Ralph H. Blanchard:

#### ARGUMENTS FOR STATE FUND INSURANCE

1. The premium rates, which are often lower than those of other carriers, may be lowered still further by the pay-

ment of dividends, since the funds are operated on the mutual plan. Where the state pays expenses of administration or contributes a subsidy the employer may be benefited by the consequent reduction in the amount of his own contributions.

2. In those states which provide that insurance in the state fund shall relieve the employer of all liability for payments to his injured workmen, for the payments of assessments to the fund, or for both, he is given absolute security in return for his premium.

3. The state fund, managed in all cases by public officials, and usually by the same body which administers the compensation law, may be operated to carry out the fundamental purposes of compensation legislation, conserving impartially the interests of the employer, of the employee, and of the general public.

4. A monopolistic state fund, by the concentration of the entire compensation insurance business of the state, promotes uniformity in the treatment of employers and employees and eliminates the waste due to competitive expenses and duplication of equipment and organization.

5. A competitive state fund may, through its rates and service, act as regulatory agency, compelling private companies to adhere to fair rates and practices.

6. The state fund is as carefully regulated as private companies in some states and might be so regulated in all.

7. Much criticism of the states as is tenable is directed, not at the principle, but at the methods which have been followed in applying it. State fund insurance, since it is a new venture in the United States, must pass through a period of development and experimentation, the cost of which is fully justified by the possible future service to be expected from this plan of insurance.

#### ARGUMENTS AGAINST STATE FUND INSURANCE

1. The management of the funds is vested in appointive state officials, and politics plays too large a part in their selection. Insufficient salaries, political considerations, and insecure tenure of office all tend to produce inefficiency which is a characteristic of state-managed institutions.

2. Neither the policy holders nor anyone financially interested in the success of the funds have any direct control over their management.



3. In the event of insolvency as a result of inefficient management or of rates fixed by the Legislature the employer will be obliged to make further contributions or, where he is relieved of all liability, the employee will lose a portion of his compensation. If the deficit is made up from the state treasury it will involve a higher tax rate. There is also some question as to whether a statute relieving the employer of all liability on the payment of a stated premium would be held constitutional by the courts.

4. The payment of expenses by the state fund gives the fund an unfair advantage in competition with private companies which must meet all expenses from premium receipts. It also gives the state fund an unfair advantage over other branches of the state administrative departments.

5. The state fund is not in a position to reject poor risks and is forced to accept many which private companies are unwilling to carry.

6. The practice of fixing rates by legislative enactment, which obtains in some states, is unscientific and impractical, involving unfairness in the distribution of compensation cost and endangering the solvency of the fund.

7. The state should confine itself to regulation and should not attempt to enter business enterprises which can be conducted by individual initiative.

#### COMPARISON OF COMPENSATION INSURANCE SYSTEMS, COST, SERVICE, AND SECURITY

By Carl Hookstadt, Expert, U. S. Bureau of Labor  
Statistics

**Politics**—One of the factors which mitigates against efficiency of administration in industrial commissions is our system of partisan political appointments. The personnel of commissions is constantly changing with the change of political administration. In the state of Washington, for example, there have been 17 commissioners since the creation of the commission in 1911. This continual change in personnel prevents a continuity of policy. Commissioners frequently hesitate to undertake important and constructive policies when their probable tenure of office is only three or four years. Furthermore, this change in personnel affects not merely the commissioners themselves but the entire staff of the commission. Another manifestation of this po-

litical system is the interference on the part of large and influential employers with the duties and policies of the commission; for example, the employer in order to prevent the commission from carrying out its policy will appeal to the governor or other political authorities, who, in turn, will diplomatically suggest to the commissioner to go slow and not take such drastic action against said employer. As a result the commission, because it is a part of the political administration, will hesitate to antagonize influential employers.

**Membership of Industrial Commissions**—An industrial commission or board should be composed of at least three members representing both employers and employees. The single commissioner in my opinion is undesirable. Every person has certain idiosyncrasies and pet theories or “hobbies,” and it is undesirable to subject interpretations of important legislation and the rights of citizens to such individual peculiarities. In case of a board—say three members—the idiosyncrasies of individual members are ironed out and more substantial justice secured.

**Inadequate Appropriations and Salaries**—Probably the greatest handicap suffered by state funds and industrial commissions is inadequate appropriations and salaries. An industrial commission can not perform its functions properly nor furnish adequate service if it does not have sufficient appropriation to carry out its work and if the salaries provided are so low that high-grade employees can not be retained. The Industrial Commission of Ohio and the State Insurance Fund of New York have been particularly handicapped in this respect. In fact most of the states’ commissions serve as recruiting grounds for private employers and especially the private insurance companies. Great credit is due those employees who, because of their interest in the successful and efficient administration of the fund or commission, remain in the public service although able to command double their salary in private employment.

#### DAMAGE SUITS VS. COMPENSATION SETTLEMENTS

A convincing argument in favor of workmen’s compensation settlements as opposed to damage suits is found in the table presented herewith covering every damage suit case of this class brought into the Jefferson county courts—33 in number—during the twelve months preceding the opera-



tion of the workmen's compensation law, and presenting in contrast thereto a like number of workmen's compensation cases chosen at random from the Jefferson county accident reports filed in the workmen's compensation office during the first twelve months of the operation of the law. It will be seen by this table that the average duration of damage suits in the circuit court of Jefferson county extended over a period of thirteen months and eighteen days. The total amount of damages sought was \$375,000.00, whereas the total amount of damages recovered was \$4,112.50, of which meager amount perhaps half was paid out in attorney's fees.

The average amount of damages sought was \$11,924.24 (per case); the average amount of damages recovered was \$127.65 (per case).

In contrast the total amount of compensation received for the thirty-three workmen's compensation cases selected at random was \$20,326.81. The average amount per case was \$602.65 with no lawyer's fee to be deducted, no time lost in courts, and no unpleasant relations established between employer and employee. Under the compensation law there were no suits in court but all serious and death case settlements were reviewed by the circuit judge. In non-serious cases payments began within two weeks after injury with medical attention provided in all cases.

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The State of Alabama, }  
Jefferson County. }

Circuit Court.

I, Wm. J. Waldrop, Clerk of the Circuit Court of the Tenth Judicial Circuit of Alabama, hereby certify that I have compared the within excerpts of the various cases as specifically set out and mentioned herein with the records of this office and find that the information contained therein is substantially true and correct as to the docket number of the case, date of filing, cause of action and final judgment.

That I have identified said sheets numbered 1, 2, 3, 4, 5 and 6 with my signature.

In witness whereof I have hereunto set my hand and the seal of said court.

(Court Seal)

(Signed) Wm. J. Waldrop,  
Clerk Circuit Court.

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COMPARISON 1919 COMMON LAW DAMAGE SUITS IN JEFFERSON COUNTY, ALA., WITH 1921 WORKMEN'S COMPENSATION LAW SETTLEMENTS  
IN THE SAME COUNTY

Case No	Case No	STYLE OF CASE (1921)	NATURE OF INJURIES	Date Suit Was Brought	Date Suit Was Dismissed	Duration of Suit	Damages Sought by Suit	Damages Actually Recovered
8223	6	Will Gilliard vs. Bessemer Fire Brick Co.	Not stated (personal)	Jan. 10, 1918	Jan. 6, '19	11 mos. 27 days	\$5,000	Nothing
		Parter Candy vs. T. C. I. R. R. Co.	Ankle badly sprained	Injured Jan. 28, '21	No Suit	Paymt. within 2 wk.	No Suit	114.70*
8178		Jas. Graham vs. Stockham Pipe & Fit. Co.	Burned by hot metal	Jan. 5, '18	Jan. 28, '19	12 mos. 23 days	\$30,000	\$25
	11	Will Dallas vs. DeBardelaben Coal Co.	Lacerated broken finger	Injured Jan. 5, '21	No Suit	Paymt. within 2 wk.	No Suit	\$90.00*
8256		Robt. Betts vs. Sloss-Sheffield S. & I. Co.	Broken ribs, lacerated body	Jan. 12, '18	Nov. 23, '18	10 mos. 11 days	\$5,000	\$200
	13	Henry McMichael vs. Little Gem Coal Co.	Broken jaw bone	Injured Jan. 12, '21	No Suit	Paymt. within 2 wk.	No Suit	\$108*
7462		Grover Roden vs. S. A. L. R. R. Co.	Not stated (personal)	Oct. 13, '17	Jan. 20, '19	15 mos. 18 days	\$1,000	\$25
	15	W. J. Williams vs. Stockham Pipe & Fit. Co.	Amputation joint second finger	Injured Jan. 9, '21	No Suit	Paymt. immediately		\$390*
8217		Walter Griffin vs. A. B. & A. R. R. Co.	Foot permanently injured	Jan. 10, '18	Jan. 6, '19	11 mos. 27 days	Not Stated	Nothing
	16	J. L. Bone vs. Nelson Coal Corp.	Lacerated knee and broken ankle	Injured Jan. 3, '21	No Suit	Paymt. within 2 wk.	No Suit	\$300*
8230		Bishop Lockhart vs. Cen. Ga. R. R. Co.	Arm and hand mashed	Jan. 10, '18	Jna. 18, '21	12 mos. 9 days	\$5,000	\$75
	35	L. A. Reaves vs. American Steel & Wire Co.	Amputation joint third finger	Injured Jan. 13, '21	No Suit	Paymt. immediately	No Suit	\$150*



8231	John Davis vs. St. Louis & San F. R. R. Co.	Not stated (personal)	Jan. 10, '18	Jan. 8, '19	12 mos. 20 days	\$5,000	Nothing
50	Walter Sanderson vs. Miller Bros.	Hernia	Injured Jan. 4, '21	No Suit	Paymt. within 2 wk.	No Suit	\$156*
8234	Jas. Graham vs. Stockham Pipe & Fit. Co.	Foot severely burned	Jan. 10, '18	Jan. 8, '19	12 mos. 29 days	\$5,000	Nothing
53	Robt. Brown vs. B'ham Ice & C. S. Co.	Broken leg	Injured Jan. 4, '21	No Suit	Paymt. within 2 wk.	No Suit	\$133.96*
8246	Joe Dickerson vs. Woodward Iron Co.	Broken legs and ribs, perma. inju.	Jan. 11, '18	Jan. 7, '19	11 mos. 7 days	\$2,000	Nothing
54	Virgil Mose vs. Ala. Fuel & Iron Co.	Mashed little toe	Injured Jan. 7, '21	No Suit	Paymt. within 2 wk.	No Suit	\$60*
8258	Sterling Newsome vs. N. Pratt Coal Co.	Fingers amputated, legs lacerated, and permanently maimed	Jan. 12, '18	Nov. 12, '19	22 mos. 1 day	\$5,000	Nothing
65	W. H. H. Ryan vs. Louisville & Nashville R. R. Co.	Broken thumb	Injured Jan. 13, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$65*
8305	Will Bates vs. Woodward I. Co.	Body mashed, bruised and lacerated	Jan. 16, '18	Jan. 7, '19	11 mos. 22 days	\$5,000	\$325
71	R. E. Woods vs. B'ham S. Corp.	Joint thumb amputated	Injured Jan. 18, '21	No Suit	Paymt. beg. immedi.	No Suit	\$338.40*
8253	Andrew Wilson vs. Sloss-Sheffield S. & I. Co.	Permanently disabled. Rock crushed hip and thigh	Jan. 1, '18	Jan. 8, '19	12 mos. 30 days	\$2,000	Nothing
98	W. J. Cruise vs. Danville Knitting Mills	Flesh torn from back hand	Injured Jan. 20, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$219.78*
8394	Frank Robertson vs. Sloss-Sheffield Co.	Foot broken, permanent injuries	Jan. 26, '18	Jan. 8, '19	11 mos. 13 days	\$2,000	Nothing
102	Henry Rich vs. Woodward I. Co.	Eyesight permanently partially impaired	Injured Jan. 9, '21	No Suit	Paymt. began imme.	No Suit	\$300*

\*Medical attention in addition.

°Reviewed by court.

†Also burial expenses.

§Settlement reviewed by court.

‡And costs.

COMPARISON 1919 COMMON LAW DAMAGE SUITS IN JEFFERSON COUNTY, ALA., WITH 1921 WORKMEN'S COMPENSATION LAW SETTLEMENTS  
IN THE SAME COUNTY

Case No. Court	Case No. Comp.	STYLE OF CASE (1921)	NATURE OF INJURIES	Date Suit Was Brought	Date Suit Was Dismissed	Duration of Suit	Damages Sought by Suit	Damages Actually Recovered
8450		Ed Mines vs. St. Louis & San F. R. R. Co.	Back sprained and wrenched	Jan. 30, '18	Jan. 9, '19	11 mos. 10 days	\$3,000	\$50
	103	Claude Campbell vs. Woodward Iron Co.	Thigh fractured	Injured Jan. 12, '21	No Suit	Paymt. began imme.	No Suit	\$612.65*
8511		Chas. Minter vs. Woodward Iron Co.	Total loss eyesight	Feb. 7, '18	Jan. 20, '19	11 mos. 11 days	\$50,000	\$600
	109	Govan Everhart vs. Woodward Iron Co.	Multiple injuries, eyesight partially impaired	Injured Jan. 9, '21	No Suit	Paymt. began imme.	No Suit	\$1,294.80*
8607		Robt. Joiner vs. B'ham Fer. Co.	Broken arm	Feb. 19, '18	Jan. 5, '20	22 mos. 17 days	\$5,000	\$25
	107	Ike Farley vs. Woodward I. Co.	Amputated 2 joints finger	Injured Jan. 17, '21	Review. by Court	Paymt. began imme.	No Suit	\$657.10*
8716		Jim Sistrunk vs. Sloss-Sheffield Co.	Feet and ankle bones broken	March 6, '18	Jan. 22, '19	10 mos. 17 days	\$10,000	Nothing
	123	Jacob Slye vs. Chas. M. Allen & Son	Broken ankle	Injured Jan. 12, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$186*
8761		T. L. Lewis vs. L. & N. R. R. Co.	Permanent injuries—not specific— ally stated	March 13, '18	Jan. 22, '19	10 mos. 10 days	\$3,000	\$150
	129	Arthur Thornton vs. Amer. C. I. P. & F. Co.	Foot slightly burned	Injured Jan. 10, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$240.63*
8772		John Burle vs. Sloss-Sheffield S. & I. Co.	Internally—by rock fall	March 14, '18	Jan. 22, '19	10 mos. 9 days	\$10,000	\$200



8171	194	Chas. (Slim) Hughes vs. Brook- wood Mining Co.	Broken leg	Injured Jan. 19, '21	No Suit	Paymt. began imme.	No Suit	\$420*
		Miss Belle Brassell, Admr. vs. Southern Bridge Company	Decedent struck by crane while standing on bridge	Jan. 4, '18	Jan. 13, '19	12 mos. 10 days	\$50,000	\$1,000
549		Gus McDaniel vs. Ala. Fuel & I. Co.	Ignited mine gas, burned to death	Death Mar. 10, '21	No Suit <sup>o</sup>	Paymt. began imme.	No Suit	\$3,246*†
8241		Herbert Kirk vs. Ala. Fuel & I. Co.	Broken foot bones, permanent inju.	Jan. 10, '18	June 25, '19	17 mos. 16 days	\$2,000	Nothing
608		Andrew W. Salser vs. Ala. Fuel & Iron Co.	Burned arms, face, neck and back	Injured Feb. 14, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$1,200*
8856		Henry Rice vs. L. & N. R. R. Co.	Amputation left leg, 5 toes, ampu- tated right foot	Date not stated	June 9, '20	Unknown	\$3,000	Nothing
259		Isaac McCord vs. T. C. I. & R. R. Co.	Contused back and thigh	Jan. 8, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$142.50*
8380		John May vs. T. C. I. R. R. Co.	Sprained arm, bruised body	Jan. 25, '18	Feb. 3, '19	11 mos. 9 days	\$3,000	Nothing
307		Sylvester Lewis vs. T. C. I. R. R. Co.	Lacerated and contused foot	Jan. 24, '21	No Suit	Paymt. within 2 wk.	No Suit	\$110.00*
8224		Caree Evans vs. Republic I. & S. Co.	Broken leg and ankle	Jan. 10, '18	Not Stated	Unknown	\$5,000	Nothing
308		Louis Tyner vs. T. C. I. & R. R. Co.	Lacerated 3 fingers	Jan. 3, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$105.00*
6859		Zollie Steward vs. L. & N. R. R. Co. (pro ami)	Broken, cut, and bruised arm	May 25, '18	Feb. 6, '19	10 mos. 12 days	\$3,000	\$200
393		Geo. Johnson vs. T. C. I. R. R. Co.	Lacerated finger, joint amputated	Jan. 24, '21	No Suit	Paymt. began imme.	No Suit	\$420.00*

\*Medical attention in addition. <sup>o</sup>Reviewed by court. †Also burial expenses. §Settlement reviewed by court. ‡And costs.

COMPARISON 1919 COMMON LAW DAMAGE SUITS IN JEFFERSON COUNTY, ALA., WITH 1921 WORKMEN'S COMPENSATION LAW SETTLEMENTS  
IN THE SAME COUNTY

Court Case No.	Comp. Case No.	STYLE OF CASE (1921)	NATURE OF INJURIES	Date Suit Was Brought	Date Suit Was Dismissed	Duration of Suit	Damages Sought by Suit	Damages Actually Recovered
8903		Lewis Kelly vs. Republic I. & S. Co.	Amputated finger	Mar. 30, '18	Mar. 3, '19	11 mos. 4 days	\$3,000	Nothing
	205	J. E. Pahlke vs. Republic I. & S. Co.	Legs slightly burned	Jan. 29, '21	No Suit	Paymt. be. with. 2 w.	No Suit	\$60.00*
8927		Will Tucker vs. T. C. I. & R. R. Co.	Broken fingers	April 3, '18	Feb. 3, '19	10 months	\$2,000	Nothing
	423	J. Caldwell vs. T. C. I. & R. R. Co.	Badly crushed hand	Feb. 7, '21	No Suit	Within 2 weeks	No Suit	\$682.50*
8281		Mrs. Mollie L. Scott, Admx., vs. St. Louis & S. F. Ry. Co.	Train struck hand car. Her hus- band instantly killed	Jan. 15, '18	Feb. 3, '19	12 mos. 19 days	\$100,000	Nothing
	270	Governor Hicks vs. Ala. Fuel & Iron Co.	Killed, mine explosion	Jan. 31, '21	No Suit	Paymt. began imme. (Par. depen. only)	No Suit	\$900*†
8118		Rachael Holt, Admx. vs. Mabel Mining Co.	Thrown from wagon—instantly killed	Dec. 28, '17	June 10, '20	30 mos. 13 days	\$30,000	Nothing
	896	Rip McNear vs. T. C. I. & R. R. Co.	Fatal—Run over by larry car	Feb. 28, '21	No Suit	Paymt. began imme.	No Suit	\$3,486*†
7954		Alford Schneider vs. Ill. Cen. R. R. Co.	Internally injured, crippled and disfigured	Dec. 5, '17	Mar. 13, '19	15 mos. 9 days	\$2,000	Nothing
	420	J. B. Tumlin vs. South. Ry. Co.	Thumb bruised	Jan. 7, '21	No Suit	Paymt. be. with. 2 w	No Suit	\$30*



9910	Wm. Holmes vs. L. & N. R. Co.	Lost 1 or more fingers.	Aug. 9, '18	Apr. 29, '19	3 mos. 20 days	\$2,500	\$62.50
299	E. C. Seale vs. L. & N. R. Co.	Shoulder and leg bruised	Jan. 28, '21	No Suit	Paymt. immediately	No Suit	\$68.57*
10184	Thos. F. Farley vs. Woodward Iron Co.	Fractured foot, toes injured	Sept. 12, '18	June 7, '21	33 mos. 25 days	\$5,000	\$75
644	Sam Ferguson vs. Woodward Iron Co.	Contused and lacer. finger	Feb. 27, '21	No Suit	Paymt. within 2 wk.	No Suit	\$100*
10873	J. A. Hill, Admr. vs. New Castle Coal Co.	Killed by explosion mines	Dec. 17, '18	June 3, '19	5 mos. 17 days	\$30,000	\$1,200†
736	Louis Burford vs. Summit Coal Co.	Electrocuted	Mar. 10, '21	No Suit	Paymt. began imme.	No Suit	\$3,500†

\*Medical attention in addition.

°Reviewed by court.

†Also burial expenses.

§Settlement reviewed by court.

‡And costs.

#### COURT CASES:

Average duration of suit in the above court cases—13 mos. 18 days.

Average amount of damages sought—\$11,924.24.

Average amount of damages recovered, \$127.65 (per case).

The above court cases cover the damage suit docket of the Jefferson County (Birmingham Division) Circuit Court for the entire year 1919.

The above compensation cases have been furnished from the files of the

Alabama Workmen's Compensation Commissioner, at random from the first 1,000 cases for the year 1921.

#### COMPENSATION CASES:

No suits, serious and death case settlements reviewed by court.

No damage suits, in non-serious cases payments begin within 2 weeks after injury. Medical attention not in excess of \$100 additional.

Average amount compensation received per case—\$602.65.

"VIRGINIA" VS. "DOLOMITE" MINE DISASTER, 1905-1922

No more effective argument in favor of workmen's compensation legislation could doubtless ever be used than the vivid contrast between the settlements made under the old employer's liability system and under the Workmen's Compensation Act, covering the fatalities incident to the two most appalling disasters in Alabama's mining history, namely, the "Virginia" disaster of 1905 and the recent "Dolomite" disaster in November, 1922, both occurring in Jefferson county. The former's toll of death exceeded one hundred lives, the latter ninety-one. None of the dependents of the deceased "Virginia" miners ever recovered damages, the outcome resting on a trial suit, which, after a checkered career, was finally reversed in 1911 after the lapse of a period of six years. The social unrest, misery, and confusion incident to this sudden burden on the public of one hundred widows and at least as many more orphans deprived of their bread-winners are all too appalling. While the trial case was still in the courts, the employer in the "Virginia" disaster bankrupted, effectually wiping out all chances of recovery.

It is also extremely doubtful whether the dependents in the "Virginia" disaster would have received adequate compensation, inasmuch as contingent fees for damage suit lawyers and medical and funeral expenses would have consumed the greater part of any damages they might have received.

The decisions of the Supreme Court denying a rehearing of this trial case in both 1908 and 1911 are reproduced from Vols. 47 and 57 of the Southern Reporter.

APPEALS AND REVERSALS OF "VIRGINIA" MINE DISASTER  
TRIAL SUIT, 1908 AND 1911

"Southern Steel Co. vs. Hopkins, et al. (Supreme Court of Alabama, Feb. 13, 1908. Rehearing denied July 3, 1908.)

**4. Injunction; Multiplicity of Suits; Rights to Maintain Bill.**

\* \* \* \* \*

A bill lies to enjoin 110 separate suits against a coal company for the negligent death of persons killed in a mine explosion until the determination of a defense applicable alike to all the suits, although the defense had not been



established at law; it appearing that the plaintiffs were all insolvent and that the defense could not be properly presented at law, because many of the cases would be on trial in different courts at the same time, and that the cost of the litigation would be ruinous, though the defense be established.

\* \* \* \* \*

#### 6. Injunction; Multiplicity of Suits.

Subject to the restrictions that a bill will not lie where there is a plain, adequate, and complete remedy at law, and that in allowing a bill to enjoin a multiplicity of suits a court must not infringe the rule preventing a mingling in one suit of entirely distinct causes of action between parties, where numerous parties jointly and severally claim against one, or where one claims against many liable jointly or severally, and the same title or right of defense will be questioned and will determine the issue for or against all, equity will interpose to avoid a multiplicity of suits, without the aid of any independent equity.

\* \* \* \* \*

Tyson, C. J.—The second question is whether the bill is properly filed as one to avoid a multiplicity of suits. An explosion occurred in a mine owned by the wire company, by which 110 persons lost their lives, and 110 separate suits were brought by their representatives to recover damages for alleged negligence by the owner of the mine, by which the accident occurred. The appellant, alleging that the wire company (and it, as its successor) has a perfect defense applicable alike to all these suits, filed the bill in this case to enjoin actions at law until this defense could be determined. The question abstractly is whether the court has jurisdiction of any case of this kind; for, if it has, this case must come within the rule, since the allegations show that, though the defense be perfectly good, it would be impossible for the appellant to properly present the same at law, because many of the cases would be on trial in different courts at the same time, and further show that the expenses and costs of the litigation at law would be ruinous, though successful against every plaintiff.

It is objected by the appellees, that the negligence alleged being a several and separate wrong as to each party injured, and there being no privity or common interest between the defendants in the actions at law, the court of

chancery has no jurisdiction to enjoin their suits to avoid a multiplicity of suits. The principle upon which this jurisdiction is established is that it is the duty of the government to furnish a full, adequate, and complete remedy for the assertion and protection of all property rights of its citizens; and this bill is filed upon the idea that it is the peculiar function of the chancery jurisdiction to supplement the law courts and to give such remedy when it does not exist at law in a way "as practical and efficient to the ends of justice as the remedy in equity," and that there is no plain, adequate, complete, and practical remedy for appellant's protection in the courts of law.

\* \* \* \* \*

Independent of special grounds for proceeding in equity, the court at an early date assumed a jurisdiction to prevent a multiplicity of suits by settling in a single case a right or transaction which at law involved the trial of numerous cases, entailing loss of time and perhaps ruin in costs.

\* \* \* \* \*

The case made by the bill in this case is this: An explosion in a coal mine killed 110 persons. The several administrators of these persons have brought several suits against the appellant as the owner and operator for damages, insisting that its negligence was the proximate cause of the accident. The appellant in effect says, if these actions are allowed to proceed at law, it will be ruined in costs and expenses, though it be successful in every suit; that the plaintiffs are all insolvent, and thus could not pay the taxed costs against them, should they be unsuccessful; that the suits are pending in different courts, and will be called for trial in different courts at the same time; that by reason of this, and the necessity of having the same witnesses in each trial, it is impossible for the defendants to present a proper defense to these multitude of claims. The appellant says, moreover, that it has one and the same and a perfect defense or defenses to all these suits, which will be put forward in each case, and which will be determinative of all alike; and on this ground it is insisted that this is a plain case for the application of the jurisdiction of a court of equity to avoid a multiplicity of suits. We agree with this contention on principle.

The first thing to obliterate from the mind in considering the question is that it is immaterial how the unity of title,



claim, or defense is brought about. It is the factum of a single title against many, or a common defense against many, which is the foundation of the jurisdiction. A vested right of property and a vested cause of defense for protection against liability stand precisely on the same basis; and whence and how such right originated is wholly immaterial.

\* \* \* \* \*

If the unfortunate persons who lost their lives by the explosion had jointly leased the mine, and their administrators had instituted several actions as in this case against the owner, it is conceded that the privity between the plaintiffs established by the contract would justify a bill to have the question of liability determined in one suit. But why? Only because a single and common defense would, if successful, determine all suits. Suppose, however, the owner leased to a third party, instead of the operators and the same accident happened, and a thousand suits were brought or threatened by solvent, or especially by insolvent, parties, what reason is there for denying the jurisdiction to enforce in a single suit the common cause of defense against all? Ingenuity, we think, cannot discover a substantial distinction between the two cases under which the owner in one instance may take shelter in a court of equity against the wrongful and vexatious suits, while in the other he must submit to financial ruin in defending a thousand vexatious actions at law.

\* \* \* \* \*

One of the most interesting applications is in the case of *Sheffield Water Works v. Yormans*, L. R. 2 Chan. Appeal Cases, 8, decided in 1866. In that case a reservoir of the water company had burst, and 7,315 persons lost their lives or had their property injured, and many were prosecuting claims against the company. The bill was filed to test the liability in a single suit, and was sustained. The Vice-Chancellor defined the case for a bill of peace as being one in which "there were a number of persons claiming as against one, or one person against a number, and where all were claiming alike." On appeal the court sustained the lower court, saying: "It seems to me to be a very fit case, by analogy, at least, to a bill of peace, for a court of equity to interpose and prevent the unnecessary expense and litigation which would be occasioned, and to decide once for all

the validity or invalidity of the certificates upon which the claims of all the parties depend."

\* \* \* \* \*

It would be a strange casus in judicial evolution to meet the needs of society if there was no remedy against a party being vexatiously prosecuted at the same time by over 7,000 separate invalid claims held by insolvent plaintiffs, as in the Sheffield Waterworks Case, L. R. 2 Chan. 8, when each case is founded upon the same facts, and when it is alleged and admitted, by the objection to the jurisdiction, that there is a defense common to all the claims. It is to avoid the monstrosity of such a result that the court of chancery extends its plenary jurisdiction to stay the proceedings at law until the question of liability can be determined in one suit, and therefore we hold that the bill in the case was well filed.

The bill in this case was dismissed on motion. The demurrers, therefore, are not before us; nor have we to do more than to say that the bill on its statements has equity on the single ground of preventing the multiplicity of suits unaided by the other matters averred. The decree of the lower court is reversed, and one will be here rendered overruling the motion.

Reversed and rendered.

Haralson, Anderson, and Denson, JJ., concur."

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(Southern Reporter, Vol. 57 So., p. 11.)

Southern Steel Co. v. Hopkins, et al. (Supreme Court of Alabama. Jan. 29, 1911.) Rehearing denied Dec. 21, 1911.)

**"Injunction (Sec. 26)—Multiplicity of Suits—Right to Maintain Bill.**

A bill does not lie to enjoin 110 separate suits against a coal company, for negligent death of employees killed in a mine explosion, until determination by the court, in the injunction suit, of the liability of the company; there being merely a community of interest in the questions of law and fact involved.

Appeal from Chancery Court, Jefferson county; A. H. Benners, Chancellor.

Bill by the Southern Steel Company against Wiley Hopkins, administrator, and others. Decree for defendants, and complainant appeals. Affirmed.



See, also, 157 Ala. 175, 47 South. 274, 20 L. R. A. (N. S.) 848, 131 Am. St. Rep. 20.

J. T. Stokeley, for appellant; Stallings and Drennen, for appellees.

Mayfield, J.—This is a suit in equity to enjoin the prosecution of 110 separate actions at law. The sole ground of equity jurisdiction upon which the suit is based is to prevent a multiplicity of suits. The separate actions at law were brought by the administrators of 110 unfortunate workmen, who lost their lives by an explosion in a coal mine. Each of these 110 actions was brought, under the employer's liability act, to recover damages for the wrongful death of the respective intestates; was brought against the same defendant, the complainant in this suit; and sought to recover on account of negligence in causing or allowing the explosion which killed the unfortunate workmen.

The prayer for relief is as follows: "Your orator further prays that your honor will grant unto your orator a preliminary writ of injunction, enjoining and restraining each and all of said parties defendant and their attorneys and successors from all further proceedings in said action at law, or prosecuting the same in any manner, until the further orders of this court, and that your honor will proceed to hear and determine the question *vel non* of said Alabama Steel & Wire Company, in the premises, and, if there should prove to be any such liability, that your honor will further determine the extent thereof, and the manner and mode in which the same shall be prorated or paid."

This appeal for the second time brings up for our decision the equity of this bill, a full statement of the facts of which, and a discussion of the law involved, may be found in the reports of the case in 157 Ala. 175, 47 South. 274, 20 L. R. A. (N. S.) 848, 131 Am. St. Rep. 20.

\* \* \* \* \*

The evil consequences of maintaining the equity of a bill like this is illustrated clearly by the record in this case. The explosion which killed the 110 workmen in question, and which is the subject of this controversy, occurred February 20, 1905, and because of this proceeding a trial of those 110 damage suits has been delayed for more than six years. Suppose the equity of the bill should be sustained and the parties proceed to trial, and the complainant fail, then the parties plaintiff, after a delay of many years, will have to

be remitted to courts of law to try each of these cases separately. Or, if the complainant succeeded, still there must be 110 trials in the court of chancery, not only as to the liability vel non, as to each of the persons killed, but as to the amount of damages recoverable in each case. If the complainant is liable under the employer's liability act, the amount for which it is liable would be different in each of the 110 cases, depending upon the earning capacity of each decedent, which, in its turn, depends upon the age, character, habits, etc.

It would be difficult to select a case that would more clearly demonstrate the impracticability of the rule than the one under consideration. Contemplate 110 separate answers, and as many pleas and demurrers in one suit, and the innumerable issues of law and of fact that would be raised thereby, and the defense being conducted by 110 different attorneys, or the parties deprived of the right to have the counsel of their choice—a worse confusion could scarcely be imagined. It could be likened unto the confusion of tongues at the building of the Tower of Babel.

To reach a final decree in this case that would approach justice for all, by a trial of all these issues, and a trial in accordance with our statutes and the rules of law and chancery provided for such cases, would be wholly impracticable, if not impossible. No stronger or more conclusive argument could be produced to show that the rule announced on the former appeal is wrong than would be an attempted trial of this case upon its merits, in a chancery court, under the prayer of the bill quoted above.

No error appearing in the record, the decree of the chancellor is affirmed.

Affirmed.

Dowdell, C. J., and Simpson, Anderson, McClellan, Sayre, and Somerville, JJ., concur."

#### PROMPT RELIEF TO "DOLOMITE" DEPENDENTS

The prompt settlements accorded dependents in the "Dolomite" disaster of 1922 obviated incidental social unrest and disquietude, and although the horrors of the disaster are still fresh in the minds of our people, the disaster itself may prove a blessing in disguise in that it will always stand as a monumental and impregnable argument in favor of workmen's compensation legislation.



For the information of those interested a sworn statement of the expenditures to May 26, 1923 of the insurance carrier covering the "Dolomite" disaster is published herewith:

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State of Alabama,  
Montgomery County.

Appeared before me, the undersigned authority, one, Geo. M. Williamson, Assistant General Manager of the Integrity Mutual Casualty Company, Chicago, Ill., who being duly sworn, deposes and says:

That the special report of the expenditures made by the Integrity Mutual Casualty Company, Chicago, Ill., is a true and correct statement of such expenditures covering the fatalities arising out of the Dolomite Mine Disaster, November 22, 1922, Birmingham, Ala., such disaster occurring at the Dolomite No. 3 Mine of the Woodward Iron Company.

That the above mentioned report of expenditures has been attached to and made a part of this affidavit.

(Signed) Geo. M. Williamson,  
Assistant General Manager,  
Integrity Mutual Casualty Co.

Sworn to and subscribed before me, this 15th day of June, 1923.

(Signed) Peter A. Brannon,  
Notary Public.

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## SPECIAL REPORT OF INTEGRITY MUTUAL CASUALTY COMPANY, "DOLOMITE" SETTLEMENTS

Claims arising from explosion at Dolomite No. 3 Mine, Woodward Iron Company, on November 22, 1922, including a complete list of fatal and non-fatal cases, amounts paid on closed claims, and amounts reserved to cover outstanding claims as of May 26, 1923.

## NON-FATAL CASES

Claim Number	Name of Injured	Medical Paid by W. I. Co.	Medical Paid by I. M. C. Co.	Compensation	Court Expense	Reserve
W 32892	Colonel Young	\$ 3.00				
W 32893	D. Abercrombie	3.00				
W 32894	Pope Anthony	4.00	\$ 13.50			
W 32895	Robt. Drummons	3.00				
W 32896	Homer Baldwin	3.50	4.00			
W 32897	Jim Brewster	3.00				
W 32898	Jerry Benning	3.00				
W 32899	Steve Brown	3.00				
W 32900	Alf. Copeland	3.00				
W 32901	Henry Bussey	3.00	15.00			
W 32902	Chas. Bowman	7.00	4.00			
W 32903	Jessie Bussey	3.00				
W 32904	Geo. Bunkley	3.00				
W 32905	Moscoe Blackman	3.00				
W 32906	Gus Baldwin	10.00	4.00			
W 32907	Alexander Bolton	3.00				
W 32908	A. C. Barron	20.00	24.00			
W 32909	Will Brown	4.00				
W 32910	Ed Bush	3.00				
W 32911	Joe Bonner	5.00				
W 32912	Step Carter	3.00				
W 32913	Julius Carter	3.00				
W 32914	Nathan Chapman	3.50	3.50			



		30.00	27.00 \$	11.70 \$	5.28	
W 32915	Jessie Cade	30.00				
W 32916	Ike Chaney	3.00				
W 32917	Grover Cleveland	3.00				
W 32918	Clarence Collier	3.00				
W 32919	Jimmie Lee Crawl	3.50	18.00			
W 32920	Amos Curry	3.00	22.00			
W 32921	Dan Carrol	3.00	15.00			
W 32922	Ike Carter	1.50				
W 32923	Jack Deramus	3.00				
W 32924	Lour Dumas, Jr.	4.00				
W 32925	John Duncan	3.00				
W 32926	Henry Daniels	3.00	15.00			
W 32927	John Driver	5.00				
W 32928	John Ellisan	3.00				
W 32929	Horace Evans	4.00	9.00			
W 32930	Lige Elliot	3.00	9.00			
W 32931	Eddie Ford	3.00	9.00			
W 32932	Cleveland Frost	3.00	9.00			
W 32933	Elijah Foster	3.00				
W 32934	Elijah Foster	3.00	9.00			
W 32935	Shedrick Cormany	3.00				
W 32936	Albert Griffin	4.00	9.00			
W 32937	Jas. L. Golden	5.00	8.00			
W 32938	Hubert Griffin	3.00				
W 32939	Ed. Griffin	5.00	4.00			
W 32940	Joe Griffin	3.00				
W 32941	George Griffin	3.00				
W 32942	Ed. Harris	3.00	8.00			
W 32943	Charlie Hughley	3.00				
W 32944	Morris Harris	3.00				
W 32945	Charlie Holmes	5.00				
W 32946	Sam Harris	3.00				
W 32947	Fate Hollis	12.00	6.00			
W 32948	Taylor Harris	3.00				
W 32949	R. A. Hogan	3.00				

Claim Number	Name of Injured	Medical Paid by W. I. Co.	Medical Paid by I. M. C. Co.	Compen- sation	Court Expense	Reserve
W 32950	Kenneth Hobbs	6.00				
W 32951	Aubrey Hendricks	3.00				
W 32952	Lee Johnson	30.00	49.50	88.50		
W 32953	Wm. Johnson	3.00	15.00			
W 32954	A. D. Jones	10.00	13.00			
W 32955	Sammy Jenkins	6.00				
W 32956	Judge Jackson	4.50	17.00			
W 32957	Gennie Jenkins	3.00				
W 32958	Robert Jenkins	60.00	41.50	67.15		
W 32959	Cah Johnson	3.00				
W 32960	Joe Knighton	5.00				
W 32961	Oscar Landrum	3.00				
W 32962	James London	6.00				
W 32963	Harry Lewis	3.00				
W 32964	Geo. Lewis	3.00				
W 32965	Geo. Morriss	4.50	7.00			
W 32966	Hez Murray	3.00				
W 32967	N. D. McDonald	100.00	206.00	128.80		\$ 750.00
W 32968	Geo. Michaels	50.00	32.85	36.75		
W 32969	Monday McCoy	3.00				
W 32970	Mitchell James	10.00	7.00			
W 32971	Sid McDaniel	3.00	15.00			
W 32972	Tom McDade	3.00				
W 32973	Ed McDade	3.00				
W 32974	Palmer Page	4.00				
W 32975	Lee Parker	3.00				
W 32976	John Parker	3.00				
W 32977	James Penaltan	4.50	12.00			
W 32978	Henry Russell	3.00	1.00			



W 32979	Jim Ross	4.00						
W 32980	J. T. Reid	3.50	3.50					
W 32981	John Reed	3.00						
W 32982	Fred Spradler	3.00						
W 32983	Dan Solomon	3.00						
W 32984	Anderson Scott	30.00	75.50	8.95				100.00
W 32985	Pearce Sherman	3.00						
W 32986	Jimmy Simpson	3.00						
W 32987	George Sims	45.00	41.50	38.35				
W 32988	Jasper Smith	6.00	7.00					
W 32989	Henry Stedman	50.00	52.00	52.00				
W 32990	William Steele	50.00	49.00	80.15				
W 32991	Henry Simpson	3.00						
W 32992	Alex Smith	4.00						
W 32993	Fred Stallings	2.50	9.00					
W 32994	Sylvester Spears	3.00	1.00					
W 32995	Jule Thomas	3.00						
W 32996	Worthy Thompson	5.00						
W 32997	Tenley Thomas	3.00						
W 32998	Walter Thomas	3.00						
W 32999	B. Trammel	3.00						
W 33000	Dan Thompson	3.00	15.00					
W 33001	W. D. Wilson	60.00	31.10	65.00				
W 33002	Ed. Thompson	3.00						
W 33003	Mose Terrell	3.00						
W 33004	T. W. True	65.00	50.00	130.00				
W 33005	Theodore Thurman	100.00	57.15	71.45				500.00
W 33006	Louis Terry	4.00						
W 33007	Emmitt Terry	4.00						
W 33008	Step Terry	4.00						
W 33009	Jim Louis Terry	4.00						
W 33010	John Thompson	15.00	15.00	6.95				
W 33011	Sylvester Vaughn	10.00	31.85					
W 33012	Major Veasley	8.00						
W 33013	Emmel Veasley	3.50	11.00					

Claim Number	Name of Injured	Medical Paid by W. I. Co.	Medical Paid by I. M. C. Co.	Compen- sation	Court Expense	Reserve
W 33014	Tom Walker	3.00				
W 33015	Geo. Wright	3.00				
W 33016	Will Wright	10.00	9.00			
W 33017	Julius Wallace	3.00				
W 33018	Joe Wallace	3.00				
W 33019	Jim Wilson	4.00				
W 33020	Arch Watkins	48.00	28.50	48.00		
W 33021	Alvin Whiting	3.00				
W 33022	Charlie Williams	3.00				
W 33023	James Williams	3.00				
Total		\$ 1,201.00	\$ 1,024.95	\$ 957.75	\$ 5.28	\$ 1,350.00
Grand total						\$4,538.98



## FATAL CASES

This statement, in addition to the case costs and the reserve estimates, gives the details of settlement and the status of the claims.

Cases in which lump sum settlement has been made upon basis of 6% deduction as provided by Compensation Act.

Claim Number	Deceased	Compen- sation	Burial	Court Expense	Total	Reserve
W 32801	B. T. Dobbs.....	\$ 2,100.00	\$ 100.00	\$ 2.00	\$ 2,202.00	\$.....
2	Will Anthony.....	3,688.00	100.00	2.00	3,790.00	.....
3	Gail Burchfield.....	2,486.98	100.00	2.00	2,588.98	.....
5	D. A. Basby.....	1,494.63	100.00	2.00	1,596.63	.....
6	Hugh Connell.....	3,267.81	100.00	2.00	3,369.81	.....
8	Virgil Dates.....	2,608.90	100.00	2.00	2,710.90	.....
9	Cleave Early.....	2,025.45	90.00	2.00	2,117.45	.....
10	Samuel A. Huey.....	3,296.31	90.00	2.00	3,388.31	.....
11	Hobart H. Justice.....	3,506.71	90.00	2.00	3,597.71	.....
13	Eugene Robertson.....	3,100.00	90.00	2.00	3,192.00	.....
14	Lige Stanford.....	3,821.64	100.00	2.00	3,923.64	.....
16	Jim Scott.....	3,566.75	100.00	2.00	3,668.75	.....
17	Percy Waldrop.....	3,723.71	90.00	2.00	3,815.71	.....
18	Herschell Warnick.....	2,223.97	100.00	2.00	2,325.97	.....
19	Tom Warnick.....	3,799.08	100.00	2.00	3,901.08	.....
32824	Fayette Word.....	1,500.00	83.00	2.00	1,585.00	.....
39	Brimson Bowman.....	1,350.00	90.00	2.00	1,442.00	.....
845	Claude Thurman.....	2,375.00	90.00	2.00	2,467.00	.....
7	Sherman Lipscomb.....	1,250.85	90.00	2.00	1,342.85	.....
8	Mose Hudson.....	1,273.50	90.00	2.00	1,365.50	.....
32850	H. Ephram.....	2,400.00	90.00	2.00	2,492.00	.....
60	Wm. Hatcher.....	1,273.50	90.00	2.00	1,365.50	.....
62	Ben F. Smith.....	1,273.00	83.00	2.00	1,358.00	.....
69	Tim Brown.....	1,950.00	90.00	2.00	2,042.00	.....

Claim Number	Deceased	Compen-sation	Burial	Court Expense	Total	Reserve
73	Thomas Moore .....	1,700.00	90.00	2.00	1,792.00	.....
75	Allen Vaughn .....	1,200.00	90.00	2.00	1,292.00	.....
81	Will Belton .....	1,273.50	90.00	2.00	1,365.50	.....
82	Will Ware .....	1,362.00	90.00	2.00	1,444.00	.....
88	Clifford Walker .....	2,019.00	90.00	2.00	2,111.00	.....
32812	Herbert Knight .....	3,408.91	90.00	2.00	3,500.91	.....
827	Chas. Thompson .....	2,379.61	90.00	2.00	2,471.61	.....
837	Sim Bailey .....	1,273.85	90.00	2.00	1,365.85	.....
Total.....		\$ 73,961.66	\$ 2,966.00	\$ 64.00	\$ 76,991.66	.....

Cases which have been entered on the Compensation Roll for weekly payments of 300 weeks. Amounts paid to date, also gross determined cost shown.

Claim Number	Deceased	Compen-sation	Burial	Reserve
W 32820	J. V. Morris.....	\$ 154.30	\$ 90.00	\$ 3,699.00
22	Dock Taylor .....	.....	90.00	1,785.00
38	Johnnie Brannon .....	81.70	90.00	1,842.00
68	Anderson Jones .....	.....	90.00	2,073.00
Total.....		.....	.....	\$ 9,399.00



Cases of partial dependency in which full amount of contributions by the deceased to the partial dependents fixed the amount of compensation paid.

Claim Number	Deceased	Compensation	Burial	Court Expense	Medical	Total	Disposition
32815	Jim Summerlin.....	\$ 247.50	\$ 100.00	\$ 2.00	.....	\$ 349.50	.....
821	Fred Griffin.....	750.00	90.00	47.50	1.00	888.50	Represented by attorneys.
828	Cyrus Davis.....	569.00	90.00	2.00	.....	661.00	.....
829	Arthur Davis.....	750.00	90.00	2.00	.....	842.00	.....
830	Dock Byers.....	800.00	90.00	2.00	1.00	893.00	.....
834	Nathaniel King.....	300.00	90.00	113.60	.....	503.60	Settled after award by court.
835	Cleave Patterson.....	100.00	83.00	128.35	.....	311.35	Agreement at trial.
836	Bennie Lee.....	350.00	83.00	2.00	.....	435.00	.....
842	Mathew Carlisle.....	750.00	90.00	87.00	.....	927.00	Award at trial.
846	Marvin Brown.....	450.00	90.00	2.00	.....	542.00	Represented by attorneys.
861	James W. Mitchell.....	550.00	90.00	37.35	.....	677.35	Represented by attorneys.
865	Ernest Maddox.....	550.00	90.00	2.00	.....	642.00	.....
867	Fred Jones.....	750.00	90.00	2.00	.....	842.00	Represented by attorneys.
874	Pete McGee.....	600.00	90.00	107.45	.....	797.45	Agreement at trial.
889	Lonnie Brown.....	450.00	90.00	2.00	7.00	549.00	Represented by attorneys.
855	Thelie Terrell.....	500.00	86.50	2.00	.....	588.50	Represented by attorneys.
864	Percy Collins.....	600.00	90.00	2.00	.....	692.00	Represented by attorneys.
W 32843	Jackson Brazile.....	900.00	83.00	54.35	.....	1,037.35	Settled during litigation.
W 32876	Percy Conwell.....	625.00	90.00	52.40	.....	767.40	Settled during litigation.
W 32879	Emmett Smitherman.....	625.00	90.00	70.00	.....	785.00	Settled during litigation.
W 32826	Ernest Hobbs.....	700.00	90.00	.....	.....	790.00	Settled during litigation.
Total.....		\$ 11,916.50	\$ 1,875.50	\$ 720.00	\$ 9.00	\$ 14,521.00	

## Cases in which there was a widow without children, etc., etc.:

Claim Number	Deceased	Compen- sation	Burial	Court Expense	Totals	Disposition
W 32823	Ike Bonner .....	\$ 800.00	\$ 90.00	2.00	\$ 892.00	.....
32851	Con Dixon .....	2,000.00	90.00	2.00	2,092.00	.....
32853	Curley Maryland .....	800.00	90.00	2.00	892.00	Represented by attorneys.
32856	Lucien Spencer .....	800.00	90.00	2.00	892.00	Represented by attorneys.
32857	Lige Lockhart .....	800.00	95.00	2.00	897.00	.....
32858	Layman Claughton .....	800.00	83.00	2.00	885.00	.....
32859	Pleas Jones .....	800.00	90.00	2.00	892.00	Represented by attorneys.
32866	Will Coleman .....	800.00	90.00	2.00	892.00	Represented by attorneys.
32872	Barney Mahone .....	800.00	90.00	2.00	892.00	Represented by attorneys.
32877	Charlie Davis .....	900.00	90.00	9.50	899.50	Represented by attorneys.
32878	James Chesson .....	800.00	90.00	2.00	992.00	.....
32883	Anderson Ward .....	800.00	90.00	2.00	892.00	.....
32884	Jim Horn .....	1,200.00	90.00	2.00	1,292.00	.....
32885	Willie Ward .....	800.00	90.00	2.00	892.00	.....
	Total.....	\$ 12,900.00	\$ 1,258.00	35.50	\$ 14,193.50	.....

In the above cases deduction in a lump sum made on account of a provision in Compensation Act relieving us of liability in the event of re-marriage of widow. In each case weekly payments were offered with an option of the payment in a lump sum at a deduction.



Cases in which suit has been brought, but no decision rendered:

Claim Number	Deceased	Burial	Medical	Question Involved	Reserve
32807	Grady Crowder .....	\$ 90.00	.....	Dependency .....	\$ 1,000.00
32825	Chas. Winston .....	90.00	.....	Two suits—more than one claimant.....	500.00
32854	Jim Griffin .....	90.00	.....	Three wives claiming compensation.....	1,685.80
32891	Chas. Anderson .....	99.50	\$ 86.00	(50—W. I. Co.), three wives claiming compen.	1,600.00
	Total.....	\$ 369.50	\$ 86.00	.....	\$ 4,835.80

Cases in which there was no dependency and where no suit has been brought:

Claim Number	Claimant	Burial	Court Expense	Status	Reserve	Total
W 32804	Ed. Brill .....	90.00	.....	Represented by attorneys.....	\$ 850.00	\$ 850.00
32833	Will Anderson .....	90.00	.....	No claim .....	000.00	90.00
32840	Stannard Williams .....	90.00	.....	No claim .....	000.00	90.00
32849	Unknown .....	90.00	.....	No claim .....	000.00	90.00
32863	Lee Roy Moore.....	90.00	.....	Represented by attorneys.....	400.00	400.00
32870	Lawrence Thurman .....	90.00	\$ 2.00	Closed by release.....	000.00	92.00
32871	Wesley Williams .....	90.00	.....	Claim dropped .....	000.00	90.00
32880	John Gunn .....	90.00	52.00	Closed by release.....	000.00	142.00
32886	Tommy Harries .....	90.00	2.00	Claim pending .....	152.00	152.00
32890	Geo. Ware .....	.....	.....	Mother claims killed—body not found .....	150.00	150.00
	Grand total.....	.....	.....	.....	\$	\$ 2,146.00

Claim Number	Deceased	Burial	Reserve
22852	Johnnie Dixon	\$90.00	\$700.00

### Cases in which peculiar circumstances affected the disposition of the claim:

Claim No.	Deceased	Compensation	Burial	Court Expense	Disposition	Reserve	Total
W32831	Jesse Avery.....	\$ 100.00	\$ 90.00	\$ 27.00	Claimant not legal wife of deceased; payment made to obtain release with approval of court.....		\$ 217.00
W32832	Curry Givner.....	28.25	90.00		Litigation between claimants for custody of children—must await decision of court.....	\$ 2,624.00	
W32844	Luther Barnett	300.00	90.00	2.00	Wife living apart—payment made to obtain release and approval of court .....		392.00
32887	Will Feagin.....	000.00	90.00		Claimant not legal wife .....	500.00	
32841	Will Alexander	000.00	83.00		Wife and mother claiming. Court has approved settlement of \$150 with the mother in event wife is not entitled .....	233.00	
<b>Grand total.....</b>							<b>\$ 3,966.00</b>



## RECAPITULATION

Number of non-fatal cases reported.....	132	Number of fatal claims determined and in course of payment for three hundred weeks.....	4
Number of fatal cases reported.....	91	Number of fatal claims closed.....	76
Total.....	<u>223</u>	Total.....	<u>91</u>
Number of permanent total claims.....	0	Medical expense assumed by Woodward Iron Company.....	\$ 1,251.00
Number of permanent partial claims.....	2	Medical claim on account Home Office Med- ical Staff.....	1,250.00
Number of temporary total claims.....	14	All claim expense—including transporta- tion, investigation, adjustment and attor- neys' fees.....	26,081.88
(Under six months 14—over six months 0).		All losses—including court expense and re- serves.....	130,040.94
Total number of non-fatal cases pending.....	3	Grand total all loss and expense.....	<u>\$158,623.82</u>
Number of fatal claims pending.....	7		
Number of lawsuits pending.....	4		
Total.....	<u>11</u>		

COMMISSIONER'S SUPPLEMENTAL REPORT ON "DOLOMITE"  
EXPLOSION

Supplementing the foregoing report on the handling of compensation claims arising out of the explosion at Dolomite Mine of the Woodward Iron Company by the Integrity Mutual Casualty Company I wish to call your attention to a certain matter that I deem of considerable importance to the public of Alabama.

Shortly after this explosion, which occurred on November 22d, 1922, rumors began circulating reflecting upon the ability of the Integrity Mutual Casualty Company and its associate companies of the Mutual Underwriters Syndicate to pay the full amount of this loss. Such evidence as I have before me convinces me that these rumors originated wholly from sources antagonistic to the Integrity Mutual Casualty Company and mutual insurance generally, and while there is no disposition on my part to favor one class or group of insurance companies over another I, at the same time, feel that it is a duty of the State of Alabama to offer reasonable protection to any insurance company doing business within its boundaries when that company has complied with all Alabama laws and regulations and has been duly licensed by proper Alabama authorities.

Records in this office show that when the Integrity Mutual Casualty Company received word of the Dolomite disaster they immediately telegraphed a half-page advertisement to two Birmingham papers, which was published under date of November twenty-fourth and twenty-fifth. From the wording of this advertisement, a copy of which is reproduced below, one gains the impression that the insurance company was trying by the most available means at hand to quiet the torn and agonized mind and nerves of those poor people who were left dependents as a result of this terrible catastrophe.

(Reproduction of half page advertisement appearing in Birmingham News and Birmingham Age-Herald on November 24th and 25th, 1922.)

"TO ALL INJURED EMPLOYEES OF THE WOODWARD IRON  
COMPANY AND FAMILIES OF THOSE DECEASED.  
THE INTEGRITY MUTUAL CASUALTY COMPANY GUARAN-  
TEES FULL PAYMENT OF EVERY DOLLAR OF WORK-  
MEN'S COMPENSATION DUE

The Integrity Mutual Casualty Company is the insuror of all liability assumed by the Woodward Iron Company to



its employees under the Alabama Compensation Law. This law protects the interest and states the amount of claim of each employee killed or injured. The full amount necessary to pay each and every loss will be deposited in Alabama banks.

The adjusters of our company will see you as rapidly as possible in order to ascertain and compute the amount to which you may be entitled under the law. Application may be made to either of our offices indicated below if our adjusters have not as yet been in touch with you.

#### WARNING!

It will be wholly unnecessary for you to incur one penny of expense in recovering the benefits guaranteed you by the law. Make no promise to pay anyone for such service and sign no contracts, for this will merely decrease the amount which you will receive. Do not pay money to others for securing the compensation which the Integrity Mutual will pay you promptly and without quibble or evasion.

#### WE EXTEND OUR SYMPATHY

The officers and employers who constitute this company extend to you a sincere expression of sympathy and understanding in your misfortune.

Integrity Mutual Casualty Company,

By J. C. Adderly, President.

Birmingham office: Jefferson County Bank Bldg., Telephone Main 2678.

Woodward office: care Woodward Iron Company, Woodward, Ala."

On November twenty-third a Birmingham insurance agent published in the Birmingham Age-Herald an advertisement which manifestly was intended as an indirect criticism of those business firms in the Birmingham district that carried their workmen's compensation insurance with a mutual company and, at this time, could not be otherwise construed than as a charge against the Integrity Mutual Casualty Company, which company insured the Woodward risk.

An advertisement of this character appearing at this critical time could not do otherwise than tend to create

doubt and distrust in the public mind, thereby causing considerable unnecessary apprehension and suffering.

According to the evidence which has been placed in my hands rumors unfavorable to the Integrity Mutual Casualty Company continued in circulation in the Birmingham district until officials of the Woodward Iron Company themselves took the necessary steps to stop them, which to their credit be it said that they promptly did as soon as the matter was brought to their attention.

Early in December news articles began appearing in various insurance publications whose circulation is nation wide and reached practically every insurance agent in the United States. These articles were generally unfavorable to the Integrity Mutual Casualty Company and its associate companies and all dealt with the same subject, namely, that some of the companies forming the Mutual Underwriters Syndicate in which the Integrity carried its reinsurance on the Woodward risk would refuse to pay their portion of the loss. If one did not know the other and truthful side of the story considerable harm might be done the Integrity Mutual Casualty Company's business. That the articles were generally untrue and not founded upon any foundation of fact is evidenced by their later complete retraction.

#### ENTIRE LOSS ALREADY PAID

The facts are that in twenty days from the actual date of this disaster, in which a total of ninety-one men were killed and as many additional men were injured, every claim made had been investigated and the amount of compensation due thereon had been computed. The entire sum necessary to pay this loss was immediately paid into a special fund for that purpose by the members of the Mutual Underwriters Syndicate. This fund has been deposited in a bank to be held in trust for the definite and specific payment of this loss until every dollar of liability arising out of this disaster has been paid.

#### A RECORD ESTABLISHED

No loss involving the number of men which were killed and injured in this catastrophe has ever been handled so expeditiously, nor has the full amount required to liquidate the loss ever been set up in a special fund in trust for such



purpose. The officials of the Woodward Iron Company have been high in their praise of the service which has been rendered them and the manner in which the loss payments have been made and are guaranteed. The precedent which has been established by the Integrity Mutual Casualty Company and its associates as members of the Mutual Underwriters Syndicate may well be followed by other insurance companies.

This department also has copies of letters written by officials of the Woodward Iron Company immediately following this disaster, and as late as two months after, in which these officials express themselves as being thoroughly satisfied with the manner in which the Integrity Mutual Casualty Company and its associate companies have and are handling their losses. An excerpt from one of these letters reads as follows:

"The catastrophe which we sustained on November twenty-second at one of our mines was the worst in the history of our company and one of the worst in the entire Birmingham district but after sixty days from date of this explosion when we review the manner in which the whole matter was handled we find that the Integrity Mutual had handled their end of this great loss in a truly remarkable way. Within thirty days from date of the accident funds were deposited in Birmingham banks in trust for the payment of what was thought to be the entire loss or as nearly as could be determined at that time. Their settlements with our employees have been entirely satisfactory and their treatment of the relatives of deceased and injured employees has been such as to create a very friendly sentiment for them in this district."

My own investigation discloses that in less than one month from the date of the accident the entire amount of the loss had been deposited in the First National Bank, the Birmingham Trust and Savings Bank, both of Birmingham, and the First National Bank of Bessemer, Alabama, and payments to claimants were being made as rapidly as the settlements could be approved by the court. After carefully weighing all the evidence it is my opinion that the Integrity Mutual Casualty Company and its associate companies are entitled to the highest praise rather than any criticism for their handling of this great loss. The record

they have made in promptness, solvency and efficiency is and will always be a great page in Alabama insurance history and has contributed much more to the good of the insurance business generally than has the tactics of some of its over zealous competitors.

While, as before stated, I hold no brief for either stock or mutual companies, I feel that they are all, when duly licensed in Alabama, entitled to reasonable protection at our hands. We, and other States, protect our banking institutions against false and malicious rumors because in doing so we are protecting our own best interests. I consider it just as important to protect our insurance companies against false statements of its competitors, for, after all, if in this instance the seemingly organized attacks of its competitors had accomplished the desired aim and either put the Integrity Mutual Casualty Company out of business or seriously impaired its solvency by a raid on its business the working people of Alabama and their helpless dependents would have been the real sufferers through many unpaid claims. It is therefore recommended that appropriate legislation be enacted that will tend to discourage and correct this practice of damning a competitor because his method of doing business is not approved by other companies out of purely selfish motives.

After all, we, as officials acting on behalf of the people of Alabama, are not interested in whether an insurance company is stock or mutual in form of operation as long as they are able to and do pay their just losses promptly. Both classes of carriers are required to settle their claims alike, make the same loss reserves, and meet the same standard requirements as to solvency, and as long as our laws provide for the operation of both mutual and stock companies our business men in the State are going to insure their compensation payment for workmen in one of the two classes, as they choose. Therefore, we should see that each class is at least protected from the attempted raids of unscrupulous competitors, for in doing so we are simply protecting the innocent ones who have no voice in the selection of the company in which their life or limb is to be insured.



## REHABILITATION OF INJURED WORKMEN

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The Workmen's Compensation Commissioner has worked in close co-operation with the Industrial Rehabilitation Bureau of Alabama. All reports coming to the Commissioner have been carefully scrutinized with the view of discovering such accidents as would require a change in the workman's vocation on account of his injuries. Where such cases were found reports were promptly made to the Supervisor of Industrial Rehabilitation with offices in the State Department of Education. The following report from Mr. Hugh G. Grant, formerly the Supervisor of Industrial Rehabilitation, is self-explanatory:

"The work of vocational rehabilitation is more or less closely allied with that of workmen's compensation, inasmuch as persons injured in industry are often eligible for and in need of the vocational training offered by the State Board under the Smith-Bankhead rehabilitation law.

"The co-operative plan between the State Board and the Workmen's Compensation Commissioner provides that the names and addresses of all persons of employable age who have incurred serious physical disabilities in industry be submitted by the Workmen's Compensation Commissioner to the Rehabilitation Service of the State Board. The agents of the State Board can conduct a personal investigation of these cases to determine what can be done along the line of vocational training. This plan has worked very successfully, a number of seriously disabled persons receiving compensation under the Alabama compensation act having been awarded vocational training under the Alabama rehabilitation law."

## OCCUPATIONAL DISEASES

Data should be assembled through the Workmen's Compensation Bureau or Industrial Commission, to form the basis of study and recommendations to reduce industrial or occupational diseases. Hazards of this sort exist not only in the manufacture and use of corrosive substances, such as strong acids and alkalis, chlorine gas, lead poisoning, etc., and processes in which explosions may occur or where poi-

sonous or noxious gases are formed, but also in maintaining in connection with ventilation and fire hazard in mines, first-aid training, etc. Co-operation should also be maintained with the State Fire Marshal's Bureau, the State Board of Health, Child Welfare Department, the State Insurance Department, and the Conservation Department.

Inspectors should be provided for mines, boilers, lumbering, shipbuilding, construction, elevators, electrical industry, all with a view of assembling data on which may be prepared safety codes. In addition to the foregoing are the menaces to health and life due to the operation of machinery, of bad ventilation, and unsanitary conditions surrounding badly ordered plants. The Commission should be the source of safety information.

#### OCULAR DISABILITY DUE TO INJURY

It has been the observation of the Commissioner that in cases where workmen suffer injuries through their occupation or by accident in the course of their employment that great discrepancies exist in settlements. It is recommended that some test be fixed as to the percentage of loss of vision and it is recommended by the Commissioner that the table of percentage of vision and of visual disability adopted by the American Ophthalmological Society be adopted as the standard in Alabama in awarding damages under the workmen's compensation law.



LETTERS ABOUT THE LAW

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In order to ascertain the views of persons affected by the workmen's compensation law a series of letters was issued by the Commissioner addressed to employers, labor unions, insurance carriers, circuit judges, and members of the Bar Association, asking for expressions and criticisms. The following replies were received:

## FROM ALABAMA LAWYERS

From B. M. Allen, Birmingham, Ala.:

May 6th, 1922.

Dear Mrs. Owen:

Replying to your favor of the 5th inst., I beg to advise that the publication you refer to was a brief newspaper reference to a speech I made before the Bar Association of Birmingham, recently held on the occasion when Judge Mayfield was a guest and speaker. I do not recall the exact date but Judge Mayfield may be able to tell you.

My criticism of the Workman's Compensation Act was precidated upon the following objections:

1. The inadequacy of compensation and the failure to provide for compensation in all cases.
2. The requirement that an employee shall give a written notice to his employer, of his injuries, etc., within five days, and I cited a case of my own, as attorney, in which, after sending the injured party to the hospital and furnishing him with medical attention, etc., the defendant company declined to settle with him and is defending a suit upon the ground that the employee did not give a written notice as the act requires.
3. The provision of the act by which an employee is required to accept compensation where he is injured by another employer, who is also under the Workman's Compensation Act, and limiting his recovery to the amount provided by said Act, when, but for said Act he would be entitled to his common law right of action against the tortfeasor actually liable.

4. The Act in question is complicated and incomprehensible to a large majority of the people for whose benefit it was enacted.

5. The compensation allowed to be paid attorneys is so inadequate for the services necessary to be rendered that an injured employee is unable to secure the best legal talent, which very frequently is necessary.

6. The provisions of the present Act, depriving an injured employee of compensation for injury unless his period of disability exceeded two weeks, is unnecessary and unjust. There is no reason why a man who is disabled for ten days should not be compensated, and there should not be a premium upon extending artificially the period of disability in order to come within the provisions of said Act.

My own idea is that the present Act should be repealed and a new Workmen's Compensation Act passed, eliminating as far as possible the foregoing objections, and rendering it more easily and fairly administered, as is being done in other states without the numerous technicalities with which our Workman's Compensation Act seems to be surrounded.

I believe that if we are going to have a Workman's Compensation Act, there should be a board of disinterested and competent men appointed, whose duty it shall be to investigate all injuries reported within the time at present allowed by law for the commencement of actions, and where it is shown that the employer had notice of the injury to the employee, no written notice should be required.

My recommendation as to attorneys' fees would be that a reasonable attorney's fee should be allowed and that the same should be taxed if it can be done constitutionally, against the unsuccessful party to the litigation.

I see no sense or reason except for mutual protection of employers, in depriving an employee of one concern who is injured by the negligence of another concern of his common law right of action against the latter, and I have personal knowledge of a number of cases where this has happened and where the Workman's Compensation Act was invoked to prevent a reasonable recovery from the actual tortfeasor. One instance I recall is where the driver of a truck, while engaged in his business as such, was run into by a street car, upon the public highway and seriously injured, and yet, by the provisions of said Act, he was deprived of



his right to sue the parties actually guilty of his injury, and was relegated to his action against his employer, who was in no way responsible for his injuries.

I think an injured employee should have the election, as to whether or not he avail himself of his common law rights, or his rights under Workman's Compensation Act.

The matter of lump sum settlements should be given careful consideration by the law-makers. There are many instances where such a settlement would be to the great advantage of the employee, and where it is not made, the compensation allowed would be barely enough to support the injured employee, and at the end of the term for which he is entitled to compensation, he would, in many instances, be a helpless charge upon the community, whereas if a lump sum settlement could be enforced by the court, as a matter of contract between the parties, it would make available a sum of money, which would enable the employee perhaps to establish himself in some business that might contribute permanently to his support and that of his family.

With assurances of my high personal esteem, I am

Very respectfully,

B. M. Allen.

From Lloyd G. Bowers, Birmingham, Ala.:

December 29th, 1922.

Dear Madam:

I am in receipt of your letter of November 25th requesting suggestions from me in reference to the advisability of improving the Workmen's Compensation Law of this State.

It is my opinion that this law should remain unaltered on our statute books for another quadrennium before any serious attempt is made to alter or amend it in any substantial particular.

Yours very truly,

Lloyd G. Bowers.

From George W. Jones, Law Department, Louisville & Nashville Railroad Company, Montgomery, Ala.:

January 12, 1923.

My dear Mrs. Owen:

Your circular letter addressed to the lawyers of Alabama, dated November 25, 1922, received.

I have discussed the contents of your letter with the Claim Department of the Louisville & Nashville Railroad Company, and the suggestion is made that sections 12b and 23 should be reconciled and clarified. You will note that section 12b provides as follows:

“The interested parties shall have the right to settle all matters of compensation and all questions arising hereunder between themselves; provided that all settlement made hereunder must be in amount substantially the same as the amounts or benefits stipulated in this Act, unless a judge of the circuit court of the county where the claim for compensation under this Act is entitled to be made, or upon written consent of the parties, a judge of the circuit court or a judge of the probate court of any county determines that it is for the interest of the employee to accept a lesser sum and approves such settlement. Any settlement hereunder may be vacated for fraud, undue influence or coercion upon application made to the judge approving the settlement at any time not later than six months after the date of the settlement. Upon such settlements being approved judgment shall be rendered thereon and duly entered on the records of said court in the same manner and to have the same effect as other judgments or as an award if the settlement is not for a lump sum. The costs of the proceedings which shall not exceed two dollars shall be borne by the employer. All moneys voluntarily paid by the employer or insurance carrier to an injured employee in advance of agreement or award or under an unapproved or vacated agreement or award shall be treated as advance payments on account of the compensation due.”

Section 23 provides as follows:

“The amounts of compensation payable periodically hereunder, either by agreement of the parties, approved by the court, or by decision of the court, may be commuted to one or more lump sum payments, except compensation due for death or permanent total disability, or for permanent partial disability resulting from total loss of hearing or from the loss of an arm or a hand or a foot or a leg or an eye or of more than one such member. These may be commuted only with the consent of the circuit court. In making such commutations, the lump sum payments shall, in the aggregate, amount to a sum equal to the present value of all fu-



ture installments of compensation calculated on a six per cent basis."

The waiting period, as provided for in section 17 is two weeks. It is our opinion that it would be but fair for this period to be reduced to seven days. Such a change will, of course, work a hardship on employers, including the Louisville & Nashville Railroad Company, but, nevertheless, it strikes us that it would be fair to reduce the waiting period from fourteen days to seven days.

If any additional suggestions occur to us, we will communicate with you further.

Respectfully,  
Geo. W. Jones,  
District Attorney.

#### FROM EMPLOYERS

From L. D. Sharp, Secretary, Employees' Benefit Fund Committee, Southern Bell Telephone and Telegraph Company, Atlanta, Ga.:

December 29, 1922.

Dear Mrs. Owen:

In response to your circular, dated November 25, 1922, requesting criticisms of the Alabama Workmen's Compensation Act, I beg to advise that, from our experience in other states, we are of the opinion that the Act would be improved were there a regular compensation board or commission to administer same. This is the only suggestion I have to offer.

Yours very truly,  
L. D. Sharp, Secretary,  
Employees' Benefit Fund Committee.

From J. H. Eddy, Manager, Kaul Lumber Company, Birmingham, Ala.:

January 3rd, 1923.

Dear Madam:

Acknowledging your communication requesting our comments and suggestions with reference to the Alabama Workmen's Compensation Act:

It is our judgment, after observing the workings of the law in connection with our own operation, that its practical application has given full protection to our employees, and that it may be considered at this time entirely adequate.

We do not believe that any change is called for at present, and in fact we feel that no change should be made until the law in its present form shall have had at least another four years' test. We believe in the principle of workmen's compensation, and we have given our support to efforts to produce the right kind of a bill for the past 12 years, or more; we want to see our State stay ahead of the procession in this respect, yet we do not find any occasion at this time to amend the law.

We know, of course, that certain people are suggesting all sorts of changes, including the reduction of the waiting period. This would, however, result principally in the encouragement of malingering; there are very few cases where in our judgment the present waiting period has resulted in any hardship. The changes proposed would result in a tremendous increase in insurance rates, and the laying of very heavy burdens on Alabama's industries, with very little benefit to those whom the law was designed to protect.

Respectfully,  
Kaul Lumber Company,  
J. H. Eddy, Manager.

From H. B. Beard, Agent, the American Oak Leather Co., Albany, Ala.:

January 4, 1923.

Dear Madam:

Replying to your circular letter of November 25th we would like to state that we desire to see the present law continue for a longer time so as to give it a more thorough trial before any amendments are made.

Yours truly,  
American Oak Leather Company,  
Per H. B. Beard, Agent.

From H. R. Peitzke, Gulf States Portland Cement Co., Demopolis, Ala.:

December 27, 1922.

Dear Madam:

We are in receipt of your circular letter of November 25th, asking for criticisms in connection with your present Workmen's Compensation Act.



In reply will say that at present we have no criticisms to offer.

Yours very truly,  
Gulf States Portland Cement Co.,  
H. R. Peitzke, Controller.

From R. I. Ingalls, President Ingalls Iron Works Co., Birmingham, Ala.:

December 26, 1922.

Replying to your circular of November 25th, relative to present Workmen's Compensation Act. We wish to state that we have not heard a single complaint from our employees relative to the provisions of the present law, in fact, we believe they are fully satisfied in every respect. So far as we, as employers, are concerned, we are entirely satisfied. We think that any interference one way or the other would only tend to make things worse instead of better, therefore, in line with your request, we would suggest that the law be left alone. Unquestionably a lot of politicians will try to change this to suit some selfish purpose and, if such is the case, everything possible should be done to head it off.

Yours very truly,  
The Ingalls Iron Works Company,  
By R. I. Ingalls, President.

From Geo. L. Clinton, Manager Department Personnel, Alabama Dry Dock and Shipbuilding Co., Mobile, Ala.:

February 1st, 1923.

Dear Madam:

In re your questionnaire recently received, we respectfully submit that it would greatly facilitate the handling of injury cases if, the attending physicians were compelled by law to at once advise the employer when case is first taken in charge of and to furnish date of discharge, etc.

Under present conditions an employee may go to a physician without the employer's knowledge, be treated and discharged and report from physician received far beyond the time when report should have been made to the Commissioner.

Yours truly,  
Geo. L. Clinton,  
Mgr. Dept. Personnel.

Note: Mr. Comer has confused the Compensation Rating and Inspection Bureau or the State Insurance Department, with the Workmen's Compensation Bureau.

From Donald Comer, Vice-President Avondale Mills, Birmingham, Ala.:

December 22, 1922.

Dear Mrs. Owen:

Copy of your circular of the 25th to the employers of Alabama has come to the writer. There is one feature of the compensation law that is objectionable from our point of view and we would like to see changed and I am quite sure the insurance companies have no objection.

The Avondale Mills operate in five different towns. We would like, therefore, for the experience at each one of our mill plants to be the basis for establishing the rate at that particular plant. At present the law requires that the experience of all plants of any one concern must be grouped together, from which an average rate is struck. We do not like this for many reasons. The principal one, however, is that we think each plant should have a rating and a standing all its own; that the manager of each local plant should know that his rate would be low or high determinable only by his own record for accidents.

To cite you an experience we have just had—at Pell City we had a bad record; at Sycamore and Alexander City we had a very good record. The Sycamore and Alexander City plants were entitled to a reduced rate; Pell City was entitled to an increased rate. Instead of this the insurance company grouped all three of them, raised Alexander City and Sycamore and then did not raise Pell City to the extent that it should have been.

So far as we know the working of the law as a whole has been satisfactory and we would be very glad to see it continued for another season just as it is in order that it may be tried out more thoroughly.

With best wishes,

Yours very truly,  
Avondale Mills,  
Donald Comer, Vice-President.

From E. E. Linthicum, President, National Cast Iron Pipe Company, Birmingham, Ala.:

December 26, 1922.

My dear Mrs. Owen:

Your letter of November 25th has not been answered because I was somewhat doubtful as to just what is best in



regard to our present law covering workmen's compensation.

I am only familiar with the law in its general features and am not really in position to criticize it very closely, but taking our own experience in the operation of the law it appears to me to be a fairly good law. There is one feature that probably should be amended and that is the length of time before compensation starts. It appears to me that the present law works a hardship on the men in not receiving compensation unless they lose more than two weeks from their work. I think this feature of the law is to prevent workmen remaining away from their work for trivial accidents which should not prevent them from remaining at their job. My suggestion would be that if a man is injured sufficiently to be prevented from doing his usual duties as long as two weeks he should receive compensation from time of injury.

With this change in the law I believe that the present law should be given a longer trial to develop just what other changes might be advisable.

Very truly yours,  
E. E. Linthicum,  
President.

From A. W. Wood, Supt., the Grasselli Chemical Company, Birmingham, Ala.:

December 22nd, 1922.

Dear Madam:

Your letter of Nov. 25th received.

We consider the present Alabama State Compensation Law to be one of the best compensation laws of which we have any knowledge. The whole Act seems to show that it was written by someone who knows law. There is but one serious objection we have to the entire Act and that is section 10½, providing that compensation is the exclusive remedy for injuries covered by the Act except that the employer is not relieved from prosecution for failure to perform a duty imposed by law. One of the purposes of a compensation Act is to take out of the courts, so far as possible, disputes in regard to injuries arising out of industry. The compensation Act took from the employers a number of common law rights and at the same time called upon employers to assume responsibility for injuries for which they

were not directly responsible and which they could do nothing to prevent,—that is, for injuries which are solely the fault of the workman. We believe that in general, 75% to 80% of the accidents which occur could not be prevented in any manner by the employer; at least, this is what the records for all our plants throughout the country show.

When the employer is asked to assume responsibility for cases for which the workman alone was responsible and there is no punishment whatever provided for a workman's negligence, we do not believe it fair to penalize an employer for his failure to perform a statutory duty,—at least, he should not be penalized to the extent of having to answer at common law for such failure. We believe the Compensation Act should be the sole remedy in all accident cases.

In regard to the method used in the payment of compensation, we note that in all cases, compensation is paid on the basis of the number of dependents. In theory, this would seem to be the correct method to be used in basing compensation,—for instance, a widow with a large family should receive a greater compensation than a widow with no family, however, in some states where a similar schedule is in use, we know of employers who, in times when labor supply is plentiful, will discriminate against the man with a large family, the result being that the man who probably is in the greatest need of employment during hard times is not able to secure work.

We have noted from newspaper reports that there seems to be a movement to make our law more nearly a duplicate of the present Ohio law. The Ohio law is a good law but it has one outstanding bad feature and that is the so-called "Open Liability Clause." The Act provides definitely that an employer shall furnish the workmen with a safe place in which to work. The open liability clause gives to the employee the right to sue at common law when he is injured through failure of the employer to provide a safe place in which to work. The question as to what is a safe place of employment is one which has never been settled definitely and it has been the cause of employers being subjected to numerous suits at common law which should have been settled through the Compensation Act. The Supreme Court of the state of Ohio has reversed itself several times in decisions regarding what is to be considered by employers as a safe workshop.



If it is the idea of our State Legislature to copy the Ohio Act, we would recommend, by all means, that this open liability clause of the Ohio Act be not followed, but as stated in the forepart of this letter, the Compensation Act be made the sole remedy in all accident cases.

There is one other matter of more or less minor importance in connection with the Ohio Act and that is that it does not state definitely that compensation shall cease upon the death or remarriage of the beneficiary. The result has been that this question has been fought in the courts and we believe that the Compensation Act should be written in such a manner as to avoid, so far as possible, the necessity for going to court. Section 9, part 2, of our present law, covers this objection in Alabama.

Yours very truly,  
The Grasselli Chemical Co.,  
Per A. W. Wood,  
Supt. Alabama Division.

From C. L. Moss, President and Treasurer, Warrior Black Creek Coal Company, Birmingham, Ala.:

December 21, 1922.

Dear Madam:

Replying to your letter of November 25th in reference to Workmen's Compensation Act of 1919:

While this law is costing us a great deal more than it did before the law was in force, we believe that it is a good law and a great benefit to our employees.

We do not carry any insurance but we pay all claims promptly, without question, and have tried in every way to carry out the law in good faith. Our employees seem to be satisfied and well pleased with the law.

We cannot think of any improvement that could be made unless it was that the State guaranteed the payment to the employees, as it is possible for an unscrupulous employer to avoid the payment provided he was willing to go into bankruptcy.

We wish to say that we believe that one of the best provisions of the law is that there shall be no payments for the first two weeks. This seems a little harsh but our experience with employing a great number of men is that a great many of them will take advantage of the law if the payments should start at once, and every little injury that hap-

pened would cause them to quit work. This idleness would embarrass the companies and would cause the men to be idle when they could be at work and earn a great deal more than they would by not working.

We will repeat that we believe the law is a good law as it now stands and cannot see how it can be improved on.

Yours very truly,  
Moss & McCormack,  
By C. L. Moss.

From D. T. Smith, General Superintendent, Continental Gin Company, Birmingham, Ala.:

December 29, 1922.

Dear Madam:

Replying to your letter of Nov. 25th beg to advise that in the past two years our plants in Alabama have been operated greatly below normal, employing not more than 30% of our normal force. This on account of poor condition of business in our line.

With this reduced force we do not feel that the results of the workmen's compensation would apply to our plants in the same ratio as when we are working a full force.

Yours very truly,  
Continental Gin Company,  
D. T. Smith, Genl. Supt.

From Scotch Lumber Company, Fulton, Clarke County, Alabama:

December 27, 1922.

Dear Madam:

Referring to your inquiry in connection with the operation of the Workmen's Compensation Act, would say that it occurs to us that hardly sufficient time has elapsed for it to meet the majority of cases which come within its jurisdiction, and our opinion would be to suggest that the present regulations continue one or more years longer.

Yours very truly,  
The Scotch Lumber Co.

From E. M. Kilby, Vice-President and Treasurer, Kilby Frog and Switch Company, Birmingham, Ala.:

Dec. 27, 1922.

Dear Madam:

Referring to your letter of November 25th:



One point that occurs to us is that the allowance for hospital fees of \$100.00 is inadequate. This amount will, of course, take care of most ordinary cases, but in serious injuries it does not.

We would, therefore, suggest that the Act be amended so as to increase this allowance somewhat.

Wishing you the compliments of the season,

Yours very truly,  
Kilby Frog & Switch Company,  
By E. M. Kilby,  
Vice-Pres. & Treasurer.

From H. G. Creland, Vice-President and General Manager, Birmingham Slag Company, Birmingham, Ala.:

Dec. 17, 1922.

Dear Madam:

Your circular letter of November 25 requesting criticisms of the Workmen's Compensation Act:

We feel that this law has been of great benefit to both employers and employees in eliminating friction and delays in settlements, etc. The only criticism we have heard from our employees has been the waiting period which in minor injuries they seem to think is too long, and we do not feel there would be any serious objection to the changing of this from fourteen to seven days.

We are strongly in favor of making no material changes in the law.

Yours very truly,  
Birmingham Slag Company,  
H. G. Creland,  
Vice-Pres. & Gen. Mgr.

From B. H. Hartsfield, Vice-President and General Manager, Birmingham Stove and Range Company, Birmingham, Ala.:

December 27, 1922.

Dear Madam:

In answer to your circular of the 25th, will say that we do not consider that the present Workmen's Compensation Act has been in force long enough to enable us to make any constructive suggestions in regard to the improvement of it.

The present Act has doubled the tax on our business in the way of premium as against the old liability insurance.

Yours truly,  
Birmingham Stove & Range Company,  
B. H. Hartsfield,  
Vice-Pres. & Gen. Mgr.

From W. S. Harlan, Manager, Jackson Lumber Company,  
Lockhart, Ala.:

December 23, 1922.

Dear Madam:

Replying to your circular letter of November 25th regarding section 39 of the Workmen's Compensation Act, 1919, will say that I feel that the Compensation Act has not been given sufficient trial to disclose the merits to the fullest extent, and having been employers of labor for many years, protecting them in every manner possible, carrying "group life insurance" at no cost to the employe, and every other benefit possible, I protest sincerely against a change in the laws until the present one is given a fair trial.

The unrest caused by changes in legislation is a very serious matter and should be availed of only after sufficient time to warrant finding changes necessary.

Very respectfully,  
W. J. Harlan.

From Newton Wilson, Supt., Anniston Cordage Company, Anniston, Ala.:

Dec. 20, 1922.

Dear Madam:

Yours of the 25th of November to hand, and we thank you for same. As all such matters are taken up with our Boston office, I shall therefore forward your letter to them.

Thanking you again, and wishing you a very merry Christmas, I am

Yours truly,  
Anniston Cordage Co.,  
Newton Wilson, Supt.

From W. E. Nees, Superintendent, Selma Electric Railway Company, Selma, Ala.:

Dec. 19th, 1922.

My dear Mrs. Owen:

In answer to your letter of November 25th regarding the working of the Workmen's Compensation Act will say, I



think the time a man must be laid up before he can draw compensation should be cut down to two days but he must have a doctor's statement that he is really injured to get it.

Our experience has been that most of the injuries of our men have had have been of less than a week's duration.

In the case of negroes who, as a rule, are always out of money, it makes it necessary for us to take care of them all the time they are laid up for, as you well know, a negro will starve several times in two weeks as the law works now.

So, if we must take care of the negro for the first two weeks and pay for protection, too, where is there any benefit to us in having the insurance?

As the law now stands, we must pay the injured man part of his time in real justice to him, yet our money advanced to him will never be returned to us as we are bound to take care of him if injured in our service.

I would like to have your views on the matter so that I can take the question up with our legislators in this county and see if we cannot get some changes made in the law as it now stands.

Trusting my ideas are not too radical to meet with your approval, I am

Yours very truly,  
W. E. Nees, Supt.

From A. F. Kendall, Assistant Manager, George C. Brown & Company, Huntsville, Ala.:

December 19th, 1922.

Dear Madam:

Your circular letter of November 25th, addressed to the employers of Alabama, has been received.

We believe the law as a whole is sound, and just to both employer and employee, but there are some features that are objectionable.

It is our opinion that the State should carry the risk on compensation claims, along the same lines as it is at present handled by the insurance companies. Furthermore, employers should be required to pay all claims as they fall due, and later be reimbursed from the funds of the State Insurance Department.

We are informed that this plan is in use in some states and has worked out very satisfactorily. There is too much "red tape" in handling our claims under the present plan,

and it is our belief that this feature should not be overlooked by the Commissioner in making her recommendations.

Yours very truly,  
George C. Brown & Company, Huntsville Office,  
By A. F. Kendall.

From William E. Lee, General Manager, Manchester Saw Mills, Manchester, Ala.:

December 18, 1922.

We are in receipt of your letter of the 25th inst., asking for our criticism on section 39 of the Workmen's Compensation Act of 1919. We wish to state that the law has been very satisfactory to us, and we think it would be very harmful indeed to try to amend this law. It would only create strife and misunderstandings in trying to work out improvements to the present law.

We are,

Respectfully yours,  
Manchester Saw Mills,  
Wm. E. Lee, Gen. Mgr.

From J. E. Harris, Agent, Tallassee Mills, Tallassee, Ala.:  
Dec. 15, 1922.

Dear Madam:

We have your circular letter of November 25th; we have no criticisms to make of the Workmen's Compensation Act. It is very satisfactory to us.

Yours very truly,  
Tallassee Mills,  
J. E. Harris, Agent.

From L. K. Wiggins, Assistant District Manager, Southern Cotton Oil Company, Montgomery, Ala.:

December 15, 1922.

Dear Madam:

We acknowledge your circular of November 25th, inviting helpful criticism of the Workmen's Compensation Act.

We are referring this circular to our casualty attorney for any criticisms of a legal nature. From a strictly practical viewpoint, the handling and adjustment of casualty matters are certainly more satisfactory than before this Act was legislated.

Yours very truly,  
L. K. Wiggins,  
Asst. Dist. Mgr.



From E. R. Merrill, President, Andalusia Manufacturing Company, Andalusia, Ala.:

December 19, 1922.

Dear Madam:

This will acknowledge receipt of your general circular of Nov. 25th, concerning Workmen's Compensation Act, and, in this connection, beg to advise that the present law seems to be equitable, and is satisfactory to us, unless there may be some particular features that have proved impractical or unsatisfactory.

In view of the possible disturbing factors to both business and labor, we hope that a general revision of this law is not contemplated or will be attempted at the coming session of the Legislature.

We beg to remain,

Yours very respectfully,  
Andalusia Manufacturing Co.,  
E. R. Merrill, President.

From H. C. Stockham, Vice-President Stockham Pipe & Fitting Co., Birmingham, Ala.:

December 18, 1922.

Dear Madam:

In answer to your circular requesting suggestions for the amendment of the Workman's Compensation Law of Alabama. Our experience leads us to believe that this law is very satisfactory to both employee and employer and a vast improvement over the previous method of providing for the relief of injured workmen. We do not believe that there is any justification for change of the law at this time and believe it should be allowed to stand as it is.

For our part we have always seen to it that our workmen were given prompt and full settlement and have even gone so far as to provide compensation out of our own private funds for injuries incurred outside of their employment and for disabling sickness. We also have made provision for ample medical and hospital facilities for sickness and injury not as result of employment, including dental treatment and specialist for eye, ear, nose and throat, and outside consultation service.

Yours truly,  
Stockham Pipe & Fitting Co.,  
By H. C. Stockham, Vice-Pres.

From E. V. Speer, President, Speer-Harris Lumber Company, Wetumpka, Ala.:

December 16th, 1922.

Dear Madam:

Referring to your special letter of the 25th with reference to the Workmen's Compensation Act of 1919, Sec. 39:

About the only criticism that we have to offer with reference to this Act is that it does not make sufficient provision for surgical and hospital bills in case it is necessary for an injured employee to be sent to a hospital or to be furnished with the services of a high class surgeon. We have only had two instances where we have had to send injured employees to the hospital, but in each instance it was necessary for us to go beyond the requirements of the Compensation Act in properly taking care of such employees.

Very truly yours,  
Speer-Harris Lumber Company,  
E. V. Speer.

From R. T. Daniel, Secretary and Treasurer, Franklin Coal Mining Company, Birmingham, Ala.:

December 16th, 1922.

Dear Madam:

Referring to your circular of the 25th ult.:

Wish to say that we have no recommendation whatever to make in regard to workmen's compensation as we think it has worked out beautifully and that it has given the employee perfect satisfaction.

Yours very truly,  
R. T. Daniel, Secy. & Treas.

Note: Mr. Wilcox has confused the Workmen's Compensation Commission with the Compensation Rating and Inspection Bureau.

From C. F. Wilcox, Wilcox Saw Mill Company, Flatwood, Ala.:

Dec. 15th, 1922.

Dear Madam:

Regarding your circular letter of Nov. 25th, to the "Employers of the State of Alabama:"

We are only small employers and do not feel capable of making suggestions for the benefit of the Compensation Act. We understand, however, that this Act is for the ben-



efit of the employee, the expense of the Bureau and the benefits being paid by the employer.

We have had inspections made of our plant and have requested the inspectors to make suggestions where we could put in protective devices for the protection of our employees, and was informed that they were only supposed to make the inspections and each plant would be rated according to the condition of same as regards the safety of the employees.

Inspections do not safeguard the employees, neither do the higher rates. As the employers are doing the paying why not have the inspectors make suggestions to improve the safety of the employees which would be more humane than an unprotected plant at the highest rate. It seems to us that if each plant could be made 100% safe through suggestions made by the Bureau inspectors it would be far better than high rates as far as the welfare of the employees is concerned.

Yours very truly,  
Wilcox Saw Mill Co.,  
By C. F. Wilcox.

#### FROM LABOR ORGANIZATIONS

From J. L. Clemo, Secretary-Treasurer, United Mine Workers of America:

Birmingham, Ala., Jan. 2, 1923.

Dear Mrs. Owen:

Acknowledgment is made to your letter of Dec. 25th asking for suggestions as to amendments to the Compensation Law of Alabama.

Replying to same will say that at present the law seems to be written in such language that it is difficult for the ordinary layman to understand same. I think it would be well to have the law written in simple language so as to make same easily understood. From the miners' standpoint the principle of compensation is a decided improvement for the adjudication of injury claims, and, of course, the law should never be repealed. However, there are a number of remedial amendments that should be made to the present law, among them being:

(1) A reduction in the waiting period to not more than three days.

(2) Practically all progressive states now have a commission to administer the law. Alabama should by all means have a commission whose sole duty it is to administer the law.

(3) The medical benefits should be materially increased, in fact, should be unlimited.

(4) The weekly payments should be greater.

The above are among the major amendments that we think should be adopted. There are a number of weaknesses in the law pertaining to administration but of course these would be automatically removed if a commission was provided.

Thanking you very much for the interest you are manifesting in this humanitarian legislation and assuring you of our best wishes.

We are yours very truly,  
U. M. W. of A., Dist. No. 20 of Alabama,  
J. L. Clemo, Secy.-Treas.

From Mrs. E. L. McGuire, United Garment Workers of America, Local No. 200:

Mobile, Ala., Jan. 3, 1923.

Dear Madam:

Your communication received. I have delayed answering, trying to get some information concerning "workmen's compensation," as I have never had any literature concerning it. I spoke to a member of the Central Trades Council and he said if we could get something like the "Ohio Compensation Laws" it would be good.

Thanking you and hoping that you will be able to do or assist in making the "Compensation Laws" really helpful to the working people,

I am truly yours,  
(Mrs.) E. L. McGuire,  
255 Charles St., Mobile, Ala.

From Charles D. Barnes, Secretary, Central Trades Council:

Gadsden, Ala., January 4th, 1923.

Dear Madam:

Being the secretary of the Central Labor Union of Gadsden, I received a letter from the president saying for me to answer your letter he received some few days ago on the



compensation bill. The Central Labor Union of Gadsden makes a move and discussed the matter at the last meeting, and decided on one resolution:

We want a compensation law as near like the Ohio compensation law as we can possibly get in Alabama.

Mr. Fullington, the president, said he would handle this matter before the local Moulders Union at the next meeting and would write you, as he is the secretary.

Yours truly,  
Charles D. Barnes,  
Secretary, Central Trades Council, Gadsden, Ala.

From S. A. Henderson and G. Jackson, Committee:

Blocton, Ala., Jan. 8th, 1923.

In answer to your request of Dec. 25th, asking for suggestions from the labor unions of Alabama, for the amendment and improvement of the workmen's compensation law.

Local Union No. 3233, United Mine Workers of America, Blocton, offers the following suggestions as being the most urgent amendments needed:

That the waiting period from the time of injury to the payment of compensation is unreasonably long, and should be not longer than three days. There should be an increase in the weekly compensation. And there should be a further allowance for medical and surgical treatment.

We further recommend that the administration of this law be taken out of the courts, and placed in the hands of a commission of not less than three members.

While there are several other amendments needed, we think the changes stated above the most important at this time. Trusting that you will give these suggestions due consideration in your recommendations to the Legislature,

Very respectfully,  
S. A. Henderson,  
G. Jackson,  
Committee.

From A. C. Colvin, Financial Secretary, Local No. 2268:

Gadsden, Ala., Jan. 7th, 1923.

Dear Madam:

Your favor to hand and duly noted. Will say in reply that the Carpenters' Union want the Ohio compensation

law for workmen, or as near like same as possible. Thanking you for your interest.

Yours truly,  
A. C. Colvin,  
Financial Sec. Local 2268.

From H. T. Paiston, President, and Jack Hughes, Secretary, Local No. 432:

Montgomery, Ala., Jan. 4, 1923.

Dear Madam:

To your communication relative to the compensation laws, beg to acknowledge receipt of same, and, in reply, wish to say that, after due consideration, this local heartily approves of any improvement you may see fit to indorse.

The State Federation of Labor is very active at this time in securing improvements to the present laws, and your co-operation with them, I am sure, will be appreciated, and their assistance no doubt will be offered in all matters pertaining to the betterment, or more liberal compensation.

Any steps you may take with this end in view will be greatly appreciated by Local Union No. 432.

With best wishes for your success,

Respectfully,

H. T. Paiston, Pres., 432.

Jack Hughes, Sec. Pro Tem.

From J. Orlando, Recording Secretary, Local Union No. 89, United Brotherhood of Carpenters and Joiners of America:

Mobile, Ala., January 3rd, 1923.

Dear Commissioner:

Responding to your invitation so to do, Local Union No. 89, United Brotherhood of Carpenters and Joiners (Mobile, Ala.) would respectfully call your attention to the following in the matter of suggestions on workmen's compensation.

The local union has had occasion to see the present law in operation. The conclusion arrived at is—it is a little better than none at all.

First and foremost, this local union is of the opinion that no legislative measure dealing with so vital a question as the wellbeing of the wage earner, can successfully operate so long as there is no way of administering it. There should and must be, if there is honest intention to safeguard the wage earner, a department separate and distinct from any



other and which department, with proper facilities and in charge of, say, three or five capable men, be charged with seeing the law impartially administered. There should be a director in charge who has the confidence of the wage earners and who has had industrial training. The men and women as well as children in industry have a right to as much and more consideration than the hogs which root in the fields or the cattle on the ranges. Our State has a large force of competent men in control of the Bureau of Animal Industry, who promptly respond to appeals from stock raisers when cattle are afflicted. If it is essential to protect cattle, it is more important that every protection should be given to the men, women and children who are compelled to earn their living. Hence this local union is of the firm belief that there should be a competent commission for administering workmen's compensation measures.

Second: The period known commonly as the "waiting period" should be reduced to not more than one week and preferably not more than three days. The average wage earner is under greater expense when incapacitated than when earning and it is a gross injustice to compel such a one to wait two weeks or longer.

Third: There should be not less than fifty per cent increases in the amounts at present allowed for medical attention and weekly payments. If doctors, surgeons and druggists would donate their services and drugs to those who meet with accidents, then the present allowances might be sufficient but under existing conditions they are not sufficient. The amounts of weekly payments are woefully inadequate and it is inconceivable why any person who has had the misfortune to meet with an accident, should be further penalized to suffer a reduction in wages or earnings and by reason of reduced income, be plunged into debt for the necessities of life. The weekly payments should not be less than the average earnings (or earnings based on the rate per hour for a full-time week).

Three: The present law should, in the opinion of the members of this local union, be so amended or changed as to make all employers and employees come under the Compensation Act when it is changed to increase the amounts.

Four: Alabama should put into effect provisions whereby the funds sufficient for the full administration of the Compensation Act, would come from the various industries.

In other words, amendments or changes should be made to the present Act, whereby, in place of insurance companies being permitted to make money from injuries received, the State itself should collect from employers of labor sufficient funds to meet all expenses. It is believed that the experience of other states in this particular matter proves that it is better and cheaper even for the employers as well as giving to the persons injured full protection.

The members of Local No. 89 (Carpenters) of Mobile, appreciate the opportunity of placing the above before you for your consideration and it is the fervent hope that the present inadequate and archaic law will be changed so as to keep up with the rapidly growing industrial activities of our great and noble State.

Yours very truly,

J. Orlando, Recording Secy.,

Local Union No. 89, United Brotherhood of Carpenters and Joiners of America.

Room 16, Mobile Labor Temple.

Ordered sent by vote of members January 3rd, 1923, in regular meeting.

From G. A. West, Secretary, Birmingham Trades Council:

Birmingham, Ala., December 31, 1922.

Dear Mrs. Owen:

After the reading of your communication of the 25th inst., on the "Workmen's Compensation Law," today at our meeting, I was requested to communicate the following to you regarding same:

"That a committee of three (3) men be appointed to administer the law; the waiting period to be reduced, and compensation rates be increased."

Respectfully,

G. A. West, Secy.

#### FROM INSURANCE COMPANIES

From D. B. Lightner, Secretary-Treasurer, Interstate Casualty Company:

Birmingham, Ala., Jan. 2, 1923.

Dear Mrs. Owen:

Attached herewith please find the writer's recommendations and amendments to the existing Alabama Compensation Law.



These recommendations, of course, only apply to the existing law, and do not go into the question of the system of compensation provided for, or the system of administering the Act, or the adequacy or inadequacy of the benefits provided for.

Yours very truly,  
Interstate Casualty Co.,  
D. B. Lightner, Secy.

RECOMMENDATIONS FOR REVISIONS BY INTERSTATE  
CASUALTY COMPANY

Part 1. Sections 5-a and 5-b are probably misplaced as they undoubtedly are meant to refer both to Parts 1 and 2.

Basis of Compensation: In section 1 the expression "accident arising out of and in the course of his employment," is used as the basis of compensation; section 10 says "by an accident proximately resulting from and while engaged in the actual performance of the duties of his employment and from a cause originating in such employment;" section 10½ says "due to accident while engaged in the service or business of the employer, the cause of which accident originates in the employment;" section 36, 2, j uses still a different expression. Whatever expression is used to determine the basis of compensation should be uniform throughout the act.

Exclusions: Section 8—There should be no exclusions except interstate commerce common carriers. Employees of small employers are the very ones who need protection as such employers are seldom able to answer in damages to injured employees; also small employers need such protection against being made insolvent by awards of large damages; the act should be made compulsory as to cities, towns, counties, villages, etc., as employees of these governmental agencies need protection and are now almost without recourse as a claim for damages would mean discharge and loss of income; farmers should be given the option of protecting themselves under the Act.

Section 11. This section is badly mixed up and should be redrafted.

Section 13—(9): This should be changed so as to eliminate misunderstandings on the part of the injured workman and opportunities for mathematical gymnastics on the part of adjusters and clerical work on part of employees.

I suggest compensation be based as follows: Earnings of injured employee for preceding 30 days, divided by 30, and multiplied by  $5\frac{1}{2}$ , 6 or 7, whichever figure constitutes a week in the industry involved, on the long run this would average out fairly for all parties and eliminate litigation and confusion and administration cost.

Section 14—Subsection 4 of this section should be at head of section. Subsection (1) should then be made subsection (2) and should be amended to read as follows: "For the purposes of determining dependency in case of death so resulting the following described persons shall be conclusively presumed to be wholly dependent." This confines the application of the clause exclusively to death cases, as was the legislative intent although it is not so expressed now.

Section 14—Subsection (3): In its inclusion of the words "wife, child" this section is in conflict with subsections (1) and (2) of this section, as this section requires proof of actual support, whereas subsections (1) and (2) provide for presumptions of dependency on the basis of relationship without proof of actual support, as is proper. Three classes—wife and children—should be omitted from this subsection as they are taken care of in subsections (1) and (2). The following words "and payment of compensation shall be made to them in the order named" should be omitted, as the remaining subsections provide when and in what proportion each such class is entitled to compensation.

For subsection (5) section 14, the words "or dependent husband," should be omitted as the percentage provided for in this subsection is in conflict with that provided for in subsection (11) which provides for dependent husband.

Subsection (14) section 14 should come just before subsection (9) as (9) provides for disposition of unpaid balance due when contingency described in (11) happens.

"Orphan"—The word "orphan" should be defined in section 36 so as to confine its meaning to a child who is left without either parent; orphan, in its ordinary sense, means a child who has lost only one parent. (See Webster or Standard Dictionary.)

Subsection (19) In view of the wording of subsections (12) and (13) is ambiguous and useless and means nothing. It is apparently in conflict with such subsections. Suppose a man has a dependent parent and a dependent brother—subsection (19) would imply the parent take 25% and then



the brother 20% ; however, subsection (13) excludes the brother if there is a parent left.

Section 15 is ambiguous and impossible of interpretation.

Section 30: Insurance should be made compulsory or rigid regulations prescribed for qualifying as a self-insurer.

Section 32: The limitation of liability as respects third parties who are under the Act is all wrong. Why protect such a person from being punished, by the infliction of primitive damages, for his wanton acts? There is no reason for it.

D. B. Lightner.

From T. A. Saulsbury, Manager Maryland Casualty Company:

Birmingham, Ala., December 18, 1922.

Dear Madam:

I am very glad to receive your request to make suggestions in regard to the Workmen's Compensation Law, and wish to say that I am of the opinion that the law is all right in every particular with the following exceptions:

The waiting period should be reduced from two weeks to one week, because I find that it works a hardship on a great many laboring men whose wages are small, to be deprived of two weeks' wages. It also works an injustice on the employer many times to make the compensation begin from the date of the accident when the period of disablement extends as long as four weeks, because when the injured finds that at the end of three weeks he could return to work, he also figures that it would pay him to malingering and remain away from work another week. For example, if he were earning \$24 a week and were due \$12 a week, at the end of the third week, he would get only \$12, whereas if he remained away from work four weeks he would get \$36 for the fourth week or \$12 more than if he worked. My suggestion is that the compensation begin at the end of the first week and that the first week's compensation be not paid unless the man is disabled for a period of six weeks.

The present law allows for an entire phalanx only, although as a matter of fact, when part of the finger is amputated, it is always a fraction of the phalanx that is missing. When a man loses one-half of the phalanx, it is not fair to the employer to have to pay for one phalanx nor is it fair to the injured not to be paid something because he did

not lose an entire phalanx. Some provision should be made to pay for the fraction of a phalanx.

The provision in section 32, providing that when an employee is injured by a third person who is also an employer and comes under the compensation law, that the injured man cannot recover any more from this third person than he could from his own employer, is obviously unfair to the injured man. In my opinion, the injured man's claim for damages against a third party should be as good as that of any other person.

Another provision that should be altered is the amount of fee allowed for legal services. The majority of the lawyers have the opinion that there should be no limitation to this, but although I am firmly of the opinion that 10% is usually not an adequate compensation, I think that the court should have some supervision over the payment of the fee and some discretion about increasing this fee to as much as 20% or 30%.

I find that very few, if any, of the oculists know how to estimate the extent of loss of vision of a man's eye. None of them have had any experience in estimating the percentage of loss of vision and all of them want to reduce the fraction by which they describe this to a percentage which is unfair to the employer. For example, they say that a man standing 40 feet away from the object can see only 50% as well as a man standing 20 feet from an object. It may not be in the line of the Legislature's duty to pass any laws along this line, but if it is, I suggest that they adopt the report of the committee on the computation of the percentage of ocular disability due to injury of the Medical Society of the state of New York.

I also recommend that the period for which an employer must make answer to the injured man's petition be shortened from 30 days to about 10 days, because it is unfair to an injured man to have to wait 30 days or more to have his case set for trial when he is in need of money. I approve of a period of 30 days in which to make an appeal, but I also think that some provision should be made in the Court of Appeals or Supreme Court to give all compensation cases precedence over others. I also recommend that unless a commission is appointed to take the place of the judges, that some provision be made for the judges to give compensation cases preferred attention, because as the matter



stands now, with some of the judges, compensation cases are considered more or less as a nuisance and are sidetracked for other things.

Section 35, which says that all accidents should be reported to the Commissioner in 15 days after their occurrence should be changed so that it would read that all accidents should be reported within 21 days after their occurrence, particularly if the two weeks waiting period is to continue in force, because it is not until at the end of the third week that compensation is due the injured man, and therefore not until the end of the third week that the employer really knows whether he will have any compensation to pay.

Yours truly,  
T. A. Saulsbury, Manager.

From Andrew F. Gates, Attorney, Bureau of Publicity,  
Casualty Insurance:

Hartford, Conn., December 23, 1922.

Dear Madam:

With reference to your circular letter of November 25th I am sending for your information copy of memorandum prepared by Vice-President Cowles, Travelers Insurance Co., and examined by Mr. P. Tecumseh Sherman.

Very truly yours,  
Andrew F. Gates, Attorney.

December 18, 1922.

Mr. William Brosmith, Vice-President, and General Counsel:

Alabama Compensation Law.

A request has come from the Alabama Bureau for suggestions respecting some possible revision of the Compensation Act. A review of the Act indicates more reasons for revision and more opportunities for improvement than I can possibly include in this memorandum.

Part 1 is supposed to have reference to actions for damages and is separated from Part 2. Part 1, however, refers to compensation and the Legislature in section 36 enacts an explanation of the confusion of terms. The damage obligation with the defenses denied should be kept separate from the compensation enactment, and the compensation enactment should carry a provision that Part 1 should not apply

to those who accept the compensation plan. In this Act the thing is pretty badly mixed up.

Sections 5a and 5b are misplaced because they probably refer to compensation, and not to damages. Section 1 uses the expression "arising out of and in the course of his employment" which is the basis of compensation. Section 10 says, "by an accident proximately resulting from and while engaged in the actual performance of the duties of his employment from a cause originating in such employment, etc." Section 10½ says, "while engaged in the service or business of the employer, the cause of which accident originates in the employment." There are several other expressions with varying terms. Whatever expression is chosen should be uniform.

Section 8 excludes employers of less than sixteen. Small employers are the very ones who need compensation protection, and employees who are denied compensation benefits because they have but fourteen fellow employees instead of fifteen are certainly denied benefits without reason. The number of employees provided in the exclusion is entirely too high; in fact, there should be no numerical limit at all. The closing provision of this section is unwarranted. It simply denies to farmers the right to come under the Act voluntarily if they wish to. Why should they be so denied? It is not necessary that they should come under, but some might wish to; in fact, we know of some who do. Is it necessary absolutely to prohibit farmers from accepting the benefits of the Act voluntarily?

Section 11 seems to be pretty badly mixed up. Contracts of employment made after the Act becomes effective are made subject to the Act. Those then in employment are presumed to be bound. If I understand these provisions correctly, one in employment when the Act becomes effective cannot reject thereafter unless the rejection is thirty days before the effective date of the Act. In other words, the right of rejection is denied for all intents and purposes and the Act becomes practically compulsory. However, section 12 provides otherwise, and the sections appear to be contradictory. There is an expression in section 12b which I should think might be dangerous when administered by some companies. That provision is "that all settlements made hereunder must be in amount substantially the same as the amounts or benefits stipulated in this Act."



Section 13(e)3 contains a provision which cannot be practically applied. Subdivision (f) of this section seems to be out of place because it has reference to death benefits and belongs in that section. Subdivision (h) apparently provides benefits for dependents in cases of injury not resulting in death. I think it is not so intended, and it is probably out of place. In fact, the whole arrangement of section 13 is very unfortunate, provisions being thrown in at random without following any preconceived plan. It is probable that the subdivision last referred to belongs in the death benefit part of the Act, because a somewhat similar provision is found there, and it is not conceivable that in addition to the compensation paid to injured, benefits according to this subdivision are also to be paid to dependents.

Section 14 which follows this subdivision goes on to define dependents, but this is not preceded by any provision for death benefits, and therefore, is distinctly out of place. It apparently has reference to dependents in case of death, but it might from its position and context have reference to those called dependents in the case of even a temporary disabling injury. In subdivision 10 of this section the word "orphan" is improperly used. A child losing either one or both parents is an orphan. Subdivision 17 contains the incomplete statement, "Compensation payable in case of death wholly dependent shall be subject to, etc." Section 18 contains the word "orphans" with an improper meaning.

Section 16 presents a very unfair proposition. If a man serves more than one employer, the employer in whose service he was injured should pay compensation, while the earnings of the man from all sources of employment should be the basis of compensation. Think of the situation, if you please, where a jobber of any kind goes about from place to place, now working for one, now working for another, and is injured in the service of one. Is there any possible justification for charging this injury in the form of compensation to any employer other than the one in whose service the injury occurred? Of course, the proposition is purely a mistake. There are a lot of men so employed, and I feel quite confident that if a man who happened to be in my service today should enter the service of another tomorrow, and then perhaps come back to me the following day, and he was injured in the service of the other, it would be impossible to charge me under any theory

of law with the resulting compensation. It would, however, be quite possible to charge the employer in whose service he was injured with compensation on the basis of his wages from all sources.

Section 20 provides a notice form which is a waste of space, because all that should be done by the Legislature is to state what the notice shall contain and leave the form to others.

Section 27 gives preference to the right of compensation, and section 30 imposes a direct obligation upon the insurance company to the claimant. As a reasonable result the law should give insurance carriers preference as creditors for premiums due them upon policies carrying a direct and preferred obligation to a claimant. The provision in section 30 that the policy must provide that the workmen shall have an equitable lien on the amount owing is a provision without substantial meaning. All our policies provide for a direct obligation, and these lien provisions are merely useless. The standard clause providing direct obligation is much preferable for all parties, particularly including the claimant.

An expression a little more than half way through this long section involves error and omission. I quote a part of it as it appears in the law: "Said rates, schedules, or systems may be presumed by the Insurance Commissioner without more to be excessive, unreasonable or inadequate to prove the necessary reserves, etc." I presume the word "prove" should be "provide," and that after the word "more" perhaps the word "evidence" should be inserted.

Section 32 involves erroneous conception. The substance of this provision is that if injury is due to a third party, and if the third party has accepted the Compensation Act for his own employees, he can be held for no more than compensation to the person sustaining the injury. Applying this practically we will say that a noted reckless driver, cursed with speed mania, voluntarily elects compensation for his chauffeur, and then proceeds to run over the employees of other people at will, assured that he can escape the exemplary damages to which he should be subjected, merely paying the compensation obligation if he is liable at all. As a legal proposition this is absurd. There is no reason why an employer who secures compensation for his own employees should be immune as respects his negligence to-



ward others or even partially immune. There is an alternative proposition that if the third party is not under the Act himself, he must pay damages, and in that event an injured employee may not only receive compensation from his employer, but also obtain damages from the third party. These ideas proceed upon the mistaken theory that they will influence acceptance of the Compensation Act. It produces a perfectly absurd situation in practice. No matter how willful or reckless a third party may be, if he happens to be an employer subject to compensation he pays no more than compensation, and that amount must be recovered by an action at law with all its expense, thereby rendering subrogation against third parties who are themselves employers practically useless. The fact is that the really guilty persons escape the payment of exemplary damages in cases of this character. If we have ever used this feature in the defense of any automobile case, it has not been brought to my attention.

Section 36 is very badly mixed. The first part of it constitutes the enacted explanation previously referred to. The arrangement of the rest of it is woefully bad. Subdivision (g) is not complete. In reading the law as it was intended, one must skip from the end of this subdivision to the subparagraph marked (2); and at the end of that paragraph go back again to read subdivision (h); then back again to read subdivision (i). I suppose the subdivision marked "(1) Amputation" should read "Subdivision (1)."

These are some of the things which I notice upon a hasty review, and I offer them for what they are worth.

(Signed) W. G. C.,  
Vice-President.

From L. J. Thomas, Secretary, Dothan Insurance Agency:

Dothan, Ala., December 16, 1922.

We think the following changes should be made:

Increase medical limit.

Decrease waiting period.

Increase percentage of wages paid as compensation with present maximum and minimum limits.

Dothan Insurance Agency,  
L. J. Thomas,  
Secy. & Treas.

FROM AMERICAN ASSOCIATION FOR LABOR  
LEGISLATION

The following letter and analysis of the Alabama Workmen's Compensation Law with suggested improvements from Mr. John B. Andrews, Secretary of the American Association for Labor Legislation, should carry great weight. The Association represented by Mr. Andrews is an impartial body, organized for the purpose of studying labor legislation, and is no part of so-called "organized labor," or "labor unions." Its official roster and membership are composed of financiers, students of economics, employers of labor, social workers, representatives of labor, lawyers, authors and officials administering workmen's compensation laws throughout the United States and Canada. The Association has the opportunity of assembling data from the experience of employer, employee, administrative officials, the general public, and students of sociology and economics.

From John B. Andrews, Secretary, American Association  
for Labor Legislation:

131 East 23d St., New York City,  
May 23, 1923.

My dear Mrs. Owen:

Your special delivery letter of May 21 is just received and I am sending to you immediately by return mail copy of a brief analysis of the principal provisions of the Alabama workmen's compensation law with suggested improvements which we prepared in January of this year.

During the legislative sessions of 1923 there have been a large number of improving amendments to existing workmen's compensation laws so that the case for the "recommendations" in the right hand column in this analysis could be made considerably stronger at the present date. This year's perfecting amendments relate particularly to reducing the non-compensated waiting period to seven days which has been brought about this year in such states as Massachusetts, Tennessee and New Hampshire, while in two other states, Washington and Oklahoma, they have reduced the waiting period to less than seven days; the scale of compensation is being steadily raised to 66 2/3% of wages which is now regarded by practical students and administrators as the proper standard; another very im-



portant tendency is the raising of the maximum weekly limit to \$20 or more; and of course removing the limits—both time and amount—on medical care has been one of the most significant changes of the past few years.

Of course, it is clear from American experience that every state should have an industrial board to administer its accident compensation law and official investigations always show that the industries are spending about 30% more for their compensation insurance than they need to spend if they continue as at present in some states with commercial casualty insurance companies instead of demanding the more economical method of the state fund as in Ohio. It is conservatively estimated that the employers of this country are paying out yearly at least \$30,000,000 needlessly because all states have not established “the Ohio plan” of compensation insurance.

Wishing you the greatest success and hoping that you will favor this office with a copy of your report when it is available, I am, with best wishes

Sincerely yours,  
John B. Andrews, Secretary.

### SUGGESTED IMPROVEMENTS

January, 1923.

Present Provisions	Recommendations
Coverage	
Exempts employers of less than 16 workmen.	Include all injured employees regardless of the number of their fellow workers.
Excludes occupational diseases.	Include occupational diseases.

Occupational diseases are included as personal injuries in California, Connecticut, Hawaii, Illinois, Massachusetts, Minnesota, New York, North Dakota, Ohio, Porto Rico, Wisconsin and under the Federal law.

### Medical Care

(a) Amount limited to \$100.      (a) All necessary.

Under 16 laws the amount which may be spent for medical service is unlimited, while 14 other laws allow more than \$100.

(b) Period limited to 60 days. (b) As long as needed.

Under 10 laws the period during which medical care is provided is unlimited, while 6 other laws allow it for more than 60 days.

### Waiting Period

14 days.

7 days.

There are 30 laws which pay compensation from the 7th day or sooner.

### Disability Compensation

50-60% of wages.

66 2/3% of wages.

There are 10 laws which base compensation on 66 2/3% of wages.

### Weekly Maximum

\$12-\$15.

\$25.

Five laws allow \$20 or more weekly, and 10 other laws allow more than \$15 weekly. A \$15 maximum reduces the compensation of the industrious workers earning more than \$30 to less than 50% of wages!

### Alien Dependents

Excluded.

Include them.

Only 5 compensation laws exclude alien dependents.

### Maximum Amount

For permanent total disability, 550 weeks. No arbitrary limit.

Twenty-five laws set no arbitrary limit on the amount of compensation which may be paid for permanent total disability.



For death, \$5,000.

No arbitrary limit.

Twenty-three laws set no arbitrary limit on the amount of compensation which may be paid for death.

### Maximum Period

For permanent total disability, 550 weeks. For life.

In cases of permanent total disability 19 laws allow weekly compensation for life.

For death, 300 weeks.

Throughout widowhood and until children reach an employable age.

In death cases 8 laws allow weekly compensation until the widow dies or remarries and the children become of employable age, and 17 other laws allow compensation for longer than 300 weeks.

### Dismemberments

In specific dismemberment cases no compensation is allowed during the healing period.

Compensation should be allowed during the healing period in addition to a specific sum for the dismemberment.

### Second Injuries

Inadequate provision for second injuries.

Special fund from which excess disability due to second injuries shall be compensated.

Minnesota, New York, Ohio, Oregon, Utah and Wisconsin have such funds.

### Insurance

By commercial profit-making casualty companies.

The administrative commission should assess employers in proportion to hazard and pay out benefits from funds so collected.

State funds are established under 17 laws.

### Administration

By courts, which is expensive, time-consuming and productive of animosity. (The present law even permits settlements for less than the statutory amount of benefits, which settlements are final and not subject to review except for increase or decrease of incapacity!)

By an industrial commission with full power to see that the workers' rights are protected in all cases.

Thirty-six laws provide for administration by an industrial commission or board with power to make and enforce awards.



PERCENTAGE EMPLOYEES COVERED BY  
EACH COMPENSATION LAW.  
1910 CENSUS.

		100%	
ALABAMA		33.6	PER CENT.
ALASKA		31.2	" "
ARIZONA		52.4	" "
CALIFORNIA		76.2	" "
COLORADO		63.1	" "
CONNECTICUT		81.9	" "
DELAWARE		62.9	" "
HAWAII		92.6	" "
IDaho		68.7	" "
ILLINOIS		55.4	" "
INDIANA		79.4	" "
IOWA		62.7	" "
KANSAS		36.9	" "
KENTUCKY		60.2	" "
LOUISIANA		35.2	" "
MAINE		72.9	" "
MARYLAND		45.9	" "
MASSACHUSETTS		87.8	" "
MICHIGAN		83.1	" "
MINNESOTA		79.0	" "
MONTANA		50.9	" "
NEBRASKA		70.4	" "
NEVADA		76.2	" "
NEW HAMPSHIRE		56.0	" "
NEW JERSEY		99.8	" "
NEW MEXICO		30.7	" "
NEW YORK		80.1	" "
N DAKOTA		46.8	" "
OHIO		76.3	" "
OKLAHOMA		35.9	" "
OREGON		48.7	" "
PENNSYLVANIA		88.8	" "
RHODE ISLAND		82.9	" "
S. DAKOTA		58.0	" "
TENNESSEE		37.2	" "
TEXAS		47.9	" "
UTAH		74.4	" "
VERMONT		55.2	" "
VIRGINIA		45.6	" "
WASHINGTON		51.5	" "
W. VIRGINIA		80.1	" "
WISCONSIN		75.4	" "
WYOMING		46.3	" "

NOTE: IN THIS CONNECTION SEE BULLETIN NO. 275, BUREAU LABOR STATISTICS, PAGE 31.  
SEPTEMBER 1920.

## RECOMMENDATIONS FOR IMPROVEMENT OF ALABAMA WORKMEN'S COMPENSATION LAW

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The following recommendations are respectfully submitted by the Workmen's Compensation Commissioner to the Legislature for consideration:

### I. TEXT OF ACT

1. Text of Act should be recoded and couched in language intelligible to all.
2. Act should contain:
  - (a) Comprehensive synopsis.
  - (b) Subject-matter of Act should be segregated into articles, sections, and subsections, accurately numbered, each page bearing marginal subjects for ready reference.
  - (c) Text of the Act should be succeeded by a comprehensive alphabetical index.
3. Table of specific awards should be tabulated and not continuous as it now is.
4. An entire section of the Act should be set aside for definitions of the terms used therein, arranged alphabetically.

### II. SCOPE OF ACT

1. It is most important that the Act be extended to cover all employers working five (5) or more employees. The present law covers only 33.6 per cent of the State's workmen. There are 249,336 workmen of the State excluded from its benefits because of the numerical and agricultural exemptions of Sec. 8, Part II, of the Act.
2. Some definition should be inserted covering just what railroad employees are not actively engaged in interstate commerce. Three railroads are reporting their accidents—then only those occurring to shopmen. Trainmen proper constitute but approximately one-fourth of the total railroad employees, shopmen excluded. Thousands of trackmen, section hands, and others are left with no organization or brotherhood to look after their interests in case of accident.



3. Another definition should be included covering just what stevedores and longshoremen are engaged in admiralty activities.

### III. SPECIAL CONTRACTS

1. There should be eliminated the proviso in Sec. 12 (b), Part II, of the Act, setting forth that the parties interested in the payment of compensation shall have the right to settle for an amount "**substantially**" the same as the specific benefits of the Act between themselves.

2. **Same Section**—Elimination of the proviso that the courts can authorize a settlement for less than the Act's benefits, if it **or a probate judge**, deem it is for the employee's best interests.

The rights granted to the injured workmen of the State should not be waived by any court or individual.

### IV. SECURITY OF PAYMENTS

1. It is most important that all self-insured employers should be required to furnish bond with an authorized guaranty company, thus securing present and future installments of compensation. Failure to do so should subject them, after warning, to a cash fine assessed by the Commission. The Commission should also be authorized to grant, refuse, or revoke permission to self-insure. A similar bond should be required of all insurance companies and self-insureds operating in the State to cover payment of compensation in case of a catastrophe.

### V. BURDEN OF COST

1. Inclusion of a section making it a misdemeanor and punishable by fine, assessed by the Commission, for any employer to charge in any way his insurance premiums or costs for medical service against any of his employees.

### VI. INJURIES COVERED

1. The Act's benefits should be extended to cover occupational disease and disfigurement.

2. The word "accident" should be eliminated and the word "injury" substituted wherever applicable.

## VII. PENALTIES FOR NEGLIGENCE

1. Compensation paid by employer, or his representative, should be increased 50% when it is found that minors have been illegally employed and injured in violation of the Child Welfare Act of Alabama.

2. Compensation received by employee to be decreased 50% when it is established by sufficient evidence before the Commission that he removed safety devices provided for his protection.

## VIII. WAITING PERIOD

1. **Reduction as follows**—From fourteen days to seven days, compensation beginning on the morning of the eighth day after the accident and becoming retroactive to the first day of disability upon the twenty-second day after the accident.

## IX. COMPENSATION SCHEDULES

1. **Non-Fatal Injuries**—The present percentages of 50, 55, and 60% should be increased to 55, 60, and 66 2/3%. The weekly maximums of \$12, \$13, \$14 and \$15 should be increased to \$14, \$16, \$18 and \$20. The present limiting of dependents in non-fatal cases to "children under 18 years of age" should be changed to apply to all persons totally dependent on the injured workman regardless of their relationship, including the wife of the injured workman.

2. **Schedule of Awards for Permanent Disabilities**—The present schedule covering specific disabilities and amputations should be changed to the following:

Loss of arm (at shoulder).....	312 weeks
Amputation of hand.....	244 weeks
Amputation of thumb.....	60 weeks
Amputation of index finger.....	46 weeks
Amputation of middle finger.....	30 weeks
Amputation of ring finger.....	25 weeks
Amputation of little finger.....	15 weeks
Amputation of leg (at hip).....	288 weeks
Amputation of foot.....	205 weeks
Amputation of great toe.....	38 weeks
Amputation of any other toe.....	16 weeks
Loss of sight in one eye.....	128 weeks
Loss of hearing in one ear.....	40 weeks
Loss of hearing in both ears.....	160 weeks



3. In cases where only a partial amputation of the fingers or toes is sustained the present basis should be used. The names of the fingers should be changed to "index," "middle," "ring" and "little"; the phalanges should be changed from the present numerical designations to "proximal," "middle" and "distal." This would avoid existing confusion and misunderstanding.

4. The proviso that payments under the schedule outlined in the present law are exclusive of, or in lieu of, all other payments should be eliminated and compensation for temporary total disability allowed for the duration of the healing period attendant to amputation. The payments for the specific loss of the member should begin immediately following the expiration of the healing period.

5. Where partial loss of sight or hearing is sustained compensation should be based on the percentage of the loss of use of the faculty.

6. If an employee is so permanently disfigured about the face, neck, hands, or arms as to occasion loss of wage, the Commission should allow such a sum for compensation on account thereof, as it may deem just.

7. Compensation should be paid as and when due in cases of apparent permanent disability.

8. **Schedule of Awards for Permanent Total Disability—**The present award for permanent total disability, viz., 550 weeks (maximum \$5,000) should be changed to a life pension with no maximum, compensation of dependent children to cease upon becoming 18 years of age.

9. **Schedule of Awards in Fatal Cases—**In fatal accidents the payments should be made until the death or remarriage of the widow at rates of from 35 per cent in the case of a lone widow plus 10 per cent for each child with a maximum of  $66\frac{2}{3}$  per cent, subject to a weekly maximum of \$20 and a weekly minimum of \$7.50, in all cases. The orphans should receive their compensation, regardless of their mother's remarriage, until they become 18 years of age. In case of the widow's remarriage the compensation payments should be made to the probate judge of the county in which the orphans reside, he becoming custodian of the compensation paid them and such funds to be disbursed at his discretion for their education and benefit.

10. **Additional Payments in Case of Death—**The burial expenses should be increased from \$100 to \$200 and pay-

ment of such burial expenses made to the creditors within one week after the death and burial of the deceased employee, unless proof be presented to the Commission that such payment was impossible.

(a) Where a death occurs in which there are no dependents left, the employer (or his representative), should, in addition to the expenses of the last illness and burial, be required to pay into the administrative fund of the Compensation Commission the sum of \$1,000.

#### X. MEDICAL BENEFITS

1. The present time limit of 60 days and the maximum of \$100 should be repealed and the following substituted:

"Such medical, surgical, and hospital treatment, including nursing, medicines, medical and surgical supplies, transportation, crutches and apparatus, including artificial members, as may be reasonably required to cure and relieve from the effects of the injury and replace the workman on his former wage-earning basis at the earliest practicable date."

Some schedule of physicians' fees should be adopted by the Commission in order to secure uniformity throughout the State. A provision should also be made to the effect that unless the physicians' bill for his services is presented to the employer or his representative within 30 days after termination of treatment his fee shall be forfeited. All medical services above provided should be furnished without cost to the injured workman. Some requirement should be supplied to the effect that no industrial injury shall be treated by a physician not a graduate of a recognized medical college and licensed to practice in Alabama.

#### XI. ADMINISTRATION

1. For the purpose of properly administering the compensation law, observing its effects and gathering statistics, there should be created the office of Workman's Compensation Commission, such office or bureau to be separate and distinct from any other State department. The Commission should be provided with a secretary, chief clerk and an adequate office and field force. For consultation purposes the Commission should be authorized to secure the services of competent physicians when necessary. The authority of the



Commissioner under the present law is extremely limited and the duties prescribed little more than a statistician. This should be corrected by clothing the Commission with proper authority to review each and every settlement made under the Act, revise the accident report blanks now in use, to create new ones as the necessity arises, and determine what accidents should be reported and at what periods following injury.

Continual changes in personnel prevent continuity of policy. Compensation commissioners, as well as other executives, hesitate to undertake any important and constructive policies when their probable tenure of office is only three or four years. Furthermore, this change affects not only the Commission but the entire staff. This condition should be forestalled by the appointment of a commission for a six-year term. In case a commission of three is provided by the Legislature, in order that there may remain constantly upon the board members experienced in the administration of its affairs, the Governor, to whom no doubt the appointive power will be delegated, might designate the term of office of the chairman for six years, one associate for two years and one for four, their successors (and they might be named to succeed themselves) to thereafter be appointed for a term of six years as their first term of office expired.

The Compensation Commission cannot properly function nor furnish adequate service if it is not allowed sufficient appropriation to carry on its work.

In order to reduce the expenses of the conduct of an efficient workman's compensation department the law should provide for the services, when called for, of the law enforcement officers of the State for inspection and other work.

## XII. ACCIDENT PREVENTION

1. The prevention of accidents should be one of the most important functions of an industrial accident commission. The compensation Act, therefore, should authorize the Commission to perform such work and to provide a sufficient appropriation for its conduct. Furthermore, the law should require employers to install in their plants and places of industry all necessary safety devices to protect their employees from injury and death. It should be the duty of a member of the staff of the Workman's Compen-

sation Commission to visit such plants and the Commission should be empowered to enforce an adequate law concerning such devices.

### XIII. NON-RESIDENT ALIEN DEPENDENTS

1. The present provision excluding non-resident alien dependents from the Act's benefits should be repealed and the dependents limited to the widow and orphans in fatal cases only. All settlements should be consummated through the consul of their respective country.

### XIV. ACCIDENT REPORTING

1. That section of Sec. 35 outlining that all accidents shall be reported in which "compensation is paid or claimed" should be repealed and should be made to cover the reporting of each and every accident in which an expenditure is made for any reason. This in order that compensation cost accounting by the Commission may be accurate and that in the event insurance rates are revised the Commission's records could be utilized to an advantage.

2. A nominal fine (say \$10) for every failure to report an accident by an employer or the continued submission of incomplete reports should be assessed by the Commission.

3. Every employer subject to the compensation law should be required to register with the Commission on blanks to be furnished by the Commission for that purpose. Failure to do so should subject such employer to a fine assessed by the Commission.

4. The probate judges with whom notices of election from under and rejection of the Act are filed should be required to supply the Commission with duplicates of such notices.

5. It is most important that a penalty should be provided for any employer, or his authorized agent, who attempts to make a lump sum settlement for a permanent partial, permanent total, or fatal injury, without the consent and approval of the Commission.

### XV. SERVICE OF NOTICE

1. A proviso should be inserted stipulating that, in no event, shall an employee's failure to serve written notice of



his injury on his employer act as a bar to his recovery of compensation.

2. The statute of limitations should in no way apply to a review of the settlements made prior to July 1, 1923.

### SCHEDULE OF PROPOSED INCREASED BENEFITS

The following is the schedule of the proposed increased benefits:

**I. Temporary Total Disability:** Sec. 13a. 55% of actual earnings for 30 days immediately preceding accident. **Actual dependents:** 5% for first actual dependent and 6 2/3% for second dependent, in addition to 55% above provided. **Sec. 13h. Medical and Surgical Attention:** Unlimited as to time or amount and sufficient to replace the injured employee on a wage-earning basis. **Weekly Maximums:** \$14—one actual dependent, \$16—two actual dependents, \$18—three actual dependents, \$20—four, or more, actual dependents. Such compensation not to run over 300 weeks nor total more than \$5,000. **Weekly Minimum:** \$7.50 per week, unless earning less than \$7.50 weekly, in such case that amount.

**II. Temporary Disability:** Sec. 13b, 55% of loss in earning power during period of disability. Actual dependents, medical and surgical attention, etc., as above. Maximums as above, minimum \$7.50, as above.

**Waiting Period:** Waiting period to be applicable to above two classes of injuries solely. Waiting period seven (7) days, compensation beginning the morning of the eighth day after accident, becoming retroactive to first day of disability upon the morning of the twenty-second day after the accident. See Sec. 17.

**III. Permanent Partial Disability:** See Sec. 13, c. For the following losses 55% of actual earnings for 90 days immediately preceding accident. Maximums, minimums, and medical attention, as above. No waiting period.

Arm (at shoulder).....	312 weeks
Major amputation of hand .....	244 weeks
Major amputation of thumb.....	60 weeks
Major amputation of index finger .....	46 weeks
Major amputation of middle finger .....	30 weeks
Major amputation of ring finger .....	25 weeks

Major amputation of little finger.....	15 weeks
Loss leg (at hip).....	288 weeks
Loss foot .....	205 weeks
Loss great toe.....	38 weeks
Loss any other toe.....	16 weeks
Loss sight in one eye .....	128 weeks
Loss hearing in one ear .....	40 weeks
Loss hearing in both ears .....	160 weeks

**Disfigurement so as to Occasion Wage-Loss**—Commission should award such sum as it may deem just.

**Occupational Diseases**—Should be compensated as set forth in Class I, above, for the duration of such disability, subject to the maximum period and amount.

**Concurrent Injuries**—Compensation for temporary total disability shall be drawn at the rates prescribed in Class I, above, for the duration of the healing period attendant to amputation, **in addition to** specific awards provided in this Class III.

**Partial Loss of Use**—Where loss of use of any faculty or member results from an accident compensation shall be based on the percentage of such loss of use.

**IV. Permanent Total Disability:** Sec. 13, d. Both eyes: Both arms at shoulders: Paralysis: Loss of Mental Faculties:—55% of earnings for life, subject to weekly maximums outlined in Class 1, and unlimited medical attention.

**V. Death Resulting From Injury Within Three Years:** Sec. 14.

1. Dependent widow, 35%.
2. Dependent spouse and one child, 45%.
3. Dependent spouse and two or three children, 55%.
4. Dependent spouse and four or more children, 66 2/3%.
5. Dependent orphan, 35%. Additional orphans, 10% each, maximum 66 2/3%.
6. Dependent husband, 35%.
7. Dependent parent, 35% ; two, 55%.
8. Any other actual dependents—for one 35%, two 55%.

Partial dependents receive proportion of compensation for total dependents which deceased's contributions bore to his whole income. This compensation is a pension lasting for life, subject to marriage or death, or in case of children

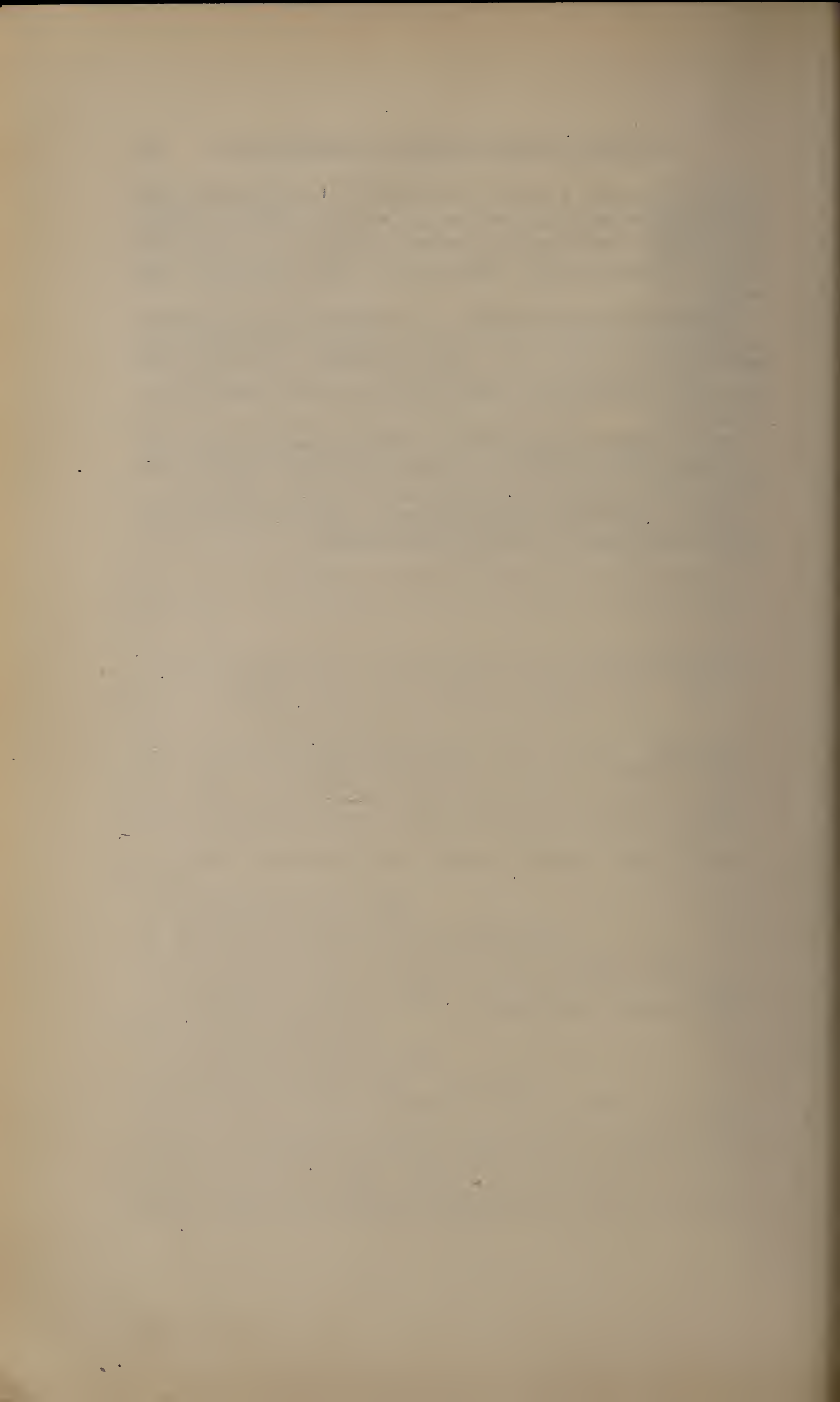


at 18. In case of a widow's remarriage compensation shall be made payable to the probate judge of the county in which the orphans reside and he become guardian of such funds to be disbursed at his discretion for their education and benefit.

**Additional Death Benefits:** In addition to the benefits provided in this Class V, burial expenses to the extent of \$200 shall be paid to the creditors within one week after the death of employee, unless proof be shown that this is impossible.

**Death With no Dependents:** Where a death occurs and no dependents are left, the employer shall pay into the administrative fund of the Commission the sum of \$1,000.

**Weekly Maximum and Minimum:** Those mentioned in Class I shall govern in all of above benefits.





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## PART II.

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# PRINCIPAL FEATURES OF LAWS RELATING TO WORKMEN'S COMPENSATION AND INSURANCE

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In order that those interested in the subject may acquaint themselves with the provisions of the workmen's compensation laws of the various States the following tables have been reproduced from a chart published during 1920 by the U. S. Bureau of Labor Statistics. However, the following tables have been revised to Jan. 1, 1923.

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Table No. 1—Effective Dates, Employments Not Covered, Compensation Elective or Compulsory, and Insurance

State	Date Act Became Effective	Employments Not Covered	Compensa'n Elective or Compulsory	Insurance.
Alabama	(1920) Jan. 10	Less than 16 employees, Municipal employees, Farm labor, Domestic service, Casual labor	Elective	Not required.
Alaska	(1915) July 28	Excepting mining operations having 5 or more employees, Public employees	Elective	Not required.
Arizona	(1912) Sept. 1	Nonhazardous, Public employees	Compulsory	Not required.
California	(1911) Sept. 1	Farm labor, Casual labor, Domestic service, Occupational diseases covered	Compulsory	Competitive. State fund. Private companies. Self-insurance.
Colorado	(1915) Aug. 1	Less than 4 employees, Domestic service, Farm labor, Casual labor	Elective	Competitive. State fund. Private companies. Self-insurance.
Connecticut	(1914) Jan. 1	Less than 5 employees, Outworkers, Casual labor, Occupational diseases covered	Elective	Private companies. Self-insurance.
Delaware	(1918) Jan. 1	Less than 5 employees, Public employees, Farm labor, Outworkers, Domestic service, Casual labor	Elective	Private companies. Self-insurance.
Georgia	(1921)	Less than 10 employees	Elective	Private companies. Self-insurance.



Hawaii .....	(1915) July 1 .....	Nonindustrial, Employees receiving over \$36.00 a week, Casual labor, Agriculture included, Occupational diseases covered.....	Compulsory ..	Private companies. surance.	Self-in-
Idaho .....	(1918) Jan. 1 .....	Farm labor, Casual labor, Domestic service, Outworkers, Employees receiving over \$2,400 a year, Charitable institutions.....	Compulsory ..	Competitive. State fund. Private companies. surance.	Self-in-
Illinois .....	(1912) May 1 .....	Nonhazardous, Casual labor, Farm labor, Occupational diseases covered.....	Compulsory ..	Private companies. surance.	Self-in-
Indiana .....	(1915) Sept. 1 .....	Farm labor, Casual labor, Domestic service, Railroad employees in train service.....	Elective .....	Private companies. surance.	Self-in-
Iowa .....	(1914) July 1 .....	Farm labor, Casual labor, Domestic service, Nonhazardous clerical occupations.....	Elective .....	Private companies. surance.	Self-in-
Kansas .....	(1912) Jan. 1 .....	Nonhazardous, Hazardous employments having less than 5 employees, State employees and municipal employees except workmen, Farm labor, Casual labor.....	Elective .....	Not required.	
Kentucky .....	(1916) Aug. 1 .....	Less than 3 employees, Domestic service, Farm labor .....	Elective .....	Private companies. surance.	Self-in-
Louisiana .....	(1915) Jan. 1 .....	Nonhazardous, Casual labor.....	Elective .....	Not required.	

Table No. 1—Effective Dates, Employments Not Covered, Compensation Elective or Compulsory, and Insurance

State	Date Act Became Effective	Employments Not Covered	Compensa'n Elective or Compulsory	Insurance.
Maine .....	(1916) Jan. 1 .....	Less than 6 employees, Farm labor, Casual labor, Domestic Service, Logging operations .....	Elective .....	Private companies. Self-insurance.
Maryland .....	(1914) Nov. 1 .....	Nonhazardous, Casual labor, Farm labor, Country blacksmiths, Domestic Service, Employees receiving over \$2,000 a year, Nonhazardous public employments.....	Compulsory ..	Competitive. State fund. Private companies. Self-insurance.
Mass. ....	(1912) July 1 .....	Farm labor, Domestic service, State employees except workmen, Casual labor, Occupational diseases covered.....	Elective .....	Private companies.
Michigan .....	(1912) Sept. 1 .....	Farm labor, Domestic service, Casual labor .....	Elective .....	Competitive. State fund. Private companies. Self-insurance.
Minnesota .....	(1913) Oct. 1 .....	Farm labor, Domestic service, Casual labor, State employees, Steam railroads, Occupational diseases covered.....	Elective .....	Not required.
Montana .....	(1915) July 1 .....	Nonhazardous, Domestic Service, Farm labor, Casual labor.....	Elective .....	Competitive. State fund. Private companies. Self-insurance.



Nebraska .....	(1914) Dec. 1 .....	Farm labor, Casual labor, Domestic service, Outworkers .....	Elective .....	Private companies. Self-insurance.
Nevada .....	(1911) July 1 .....	Farm labor, Domestic service, Casual labor .....	Elective .....	State fund, exclusive.
New Hamp. ....	(1912) Jan. 1 .....	Nonhazardous, Factories having less than 5 workmen, Public employees .....	Elective .....	Self-insurance.
New Jersey ....	(1911) July 4 .....	Casual labor, Agriculture included .....	Elective .....	Private companies. Self-insurance.
New Mexico ....	(1917) June 8 .....	Nonhazardous, Hazardous employments having less than 4 employees, Public employees, Casual labor .....	Elective .....	Private companies. Self-insurance.
New York .....	(1914) July 1 .....	Nonhazardous employments having less than 4 workmen, Domestic service, Occupational diseases covered, Farm labor .....	Compulsory .....	Competitive. State fund. Private companies. Self-insurance.
N. Dakota .....	(1919) Mar. 5 .....	Farm labor, Casual labor, Domestic service, Steam railroads, Occupational diseases covered .....	Compulsory .....	State fund, exclusive.
Ohio .....	(1912) Jan. 1 .....	Less than 5 employees, Casual labor, Occupational diseases covered .....	Compulsory .....	State fund. Exclusive. Self-insurance.
Oklahoma .....	(1915) Sept. 1 .....	Nonhazardous, Hazardous employments having less than 3 employees, Clerical occupations, Farm labor, Nonhazardous public employments .....	Compulsory .....	Private companies. Self-insurance.

Table No. 1—Effective Dates, Employments Not Covered, Compensation Elective or Compulsory, and Insurance

State	Date Act Became Effective	Employments Not Covered	Compensa'n Elective or Compulsory	Insurance.
Oregon .....	(1913) July 1 .....	Nonhazardous, Farm labor.....	Elective .....	State fund, exclusive.
Pennsylvania .	(1916) Jan. 1 .....	Farm labor, Casual labor, Domestic service, Outworkers .....	Elective .....	Competitive. State fund. Private companies. Self-insurance.
Porto Rico .....	(1916) July 1 .....	Less than 3 employees, Public employees not engaged on public works, Farm labor Domestic service, Employees receiving over \$1,500 a year, Nonhazardous clerical occupations, Occupational diseases covered .....	Elective .....	State fund, exclusive.
Rhode Island ..	(1912) Oct. 1 .....	Less than 6 employees, Casual labor, Farm labor, Employees receiving over \$1,800 a year, Domestic service.....	Elective .....	Private companies. Self-insurance.
S. Dakota .....	(1917) June 1 .....	Farm labor, Casual labor, Domestic service .....	Elective .....	Private companies. Self-insurance.
Tennessee .....	(1919) July 1 .....	Less than 10 employees, Public employees, Farm labor, Coal mines, Domestic service, Casual labor.....	Elective .....	Private companies. Self-insurance.
Texas .....	(1913) Sept. 1 .....	Less than 3 employees, Public employees, Farm labor, Railways, Domestic service, Casual labor .....	Elective .....	Private companies.



Utah .....	(1917) July 1 .....	Less than 3 employees, Domestic service, Farm labor, Casual labor.....	Compulsory ..	Competitive. State fund. Pri- vate companies. Self-in- surance.
Vermont .....	(1915) July 1 .....	Less than 11 employees, Casual labor, Do- mestic service, Employees receiving over \$2,000 a year, State employees.....	Elective .....	Private companies. Self-in- surance.
Virginia .....	(1919) Jan. 1 .....	Less than 11 employees, Farm labor, Cas- ual labor, Domestic service, Steam rail- roads .....	Elective .....	Private companies. Self-in- surance.
Washington ..	(1911) Oct. 1 .....	Nonhazardous, Nonhazardous public em- ployments .....	Compulsory ..	State fund, exclusive.
W. Virginia .....	(1913) Oct. 1 .....	Farm labor, Casual labor, Domestic ser- vice, Traveling salesmen.....	Elective .....	Exclusive. State fund. Self- insurance.
Wisconsin .....	(1911) May 3 .....	Less than 3 employees, Casual labor, Farm Labor, Occupational diseases covered.....	Elective .....	Private companies. Self-in- surance.
Wyoming .....	(1915) April 1 .....	Nonhazardous, Nonhazardous public em- ployments, Casual labor, Nonhazardous clerical occupations .....	Compulsory ..	State fund, exclusive.
United States.	(1908) Aug. 1 (1916) Sept. 7.....	Occupational diseases covered.....	Compulsory ..	

Table No. 2—Medical Service, Waiting Periods, Wage Percentages, and Weekly Maxima and Minima

State	MEDICAL SERVICE Maximum		Waiting Period.	Per Cent of Wages	Weekly Maximum	Weekly Minimum
	Period	Amount				
Alabama	60 days	\$100	2 weeks. None if disabled 4 wks.	25 to 60 (death), 50 to 60 (disability)	\$12 to \$15	\$5.
Alaska	No provision	No provision	2 weeks. None if disabled 8 wks.	50 (temporary total)	No provision	No provision.
Arizona	No provision	No provision	2 weeks. None if disabled over 2 weeks	50	No provision	No provision.
California	Unlimited	Unlimited	1 week	65	\$20.83	\$4.17.
Colorado	60 days	\$200	10 days.	50	\$10.00	\$5.00.
Connecticut	Unlimited	Unlimited	1 week. None if disabled over 4 weeks	50	\$18.00	\$5.00.
Delaware	30 days	\$100	2 weeks. None if disabled 4 wks.	15 to 60 (death), 50 (disability)	\$18 (death), \$15 (disability)	\$1.50 to \$6 death. \$5 disability.
Georgia	30 days	\$100	1 week	50	\$15 death, \$12.75 disability	\$1.25 to \$3 death, \$3 total disability.
Hawaii	Unlimited	\$150	1 week. None if partially disabled	25 to 60 (death), 60 (total disability), 50 partial disability...	\$21.60 death, \$18 total disability, \$12 partial disability	



Idaho	Unlimited	Unlimited	1 week. None if disabled 7 wks.	20 to 55 death, 55 disability	\$12 to \$16	\$6.
Illinois	8 weeks	\$200	1 week. None if disabled 4 wks.	50 to 65	\$14 to \$17	\$7 to \$10.
Indiana	30 days	Unlimited	1 week	55	\$13.20	\$5.50.
Iowa	4 weeks	\$100	2 weeks	60	\$15.00	\$6.00.
Kansas	50 days	\$150	1 week	60. Specific injuries 50%	\$15 disability	\$6 disability.
Kentucky	90 days	\$100	1 week	65	\$12 to \$15	\$5.
Louisiana	Unlimited	\$250	1 week. None if disabled 6 wks.	25 to 55 (death), 60 (disability)		
Maine	30 days	\$100	1 week	66 2/3	\$18.00	\$3.00.
Maryland	Unlimited	\$310	3 days	66 2/3	\$16.00	\$6.00.
Mass.	2 weeks	Unlimited	10 days	66 2/3	\$18.00	\$5.00.
					\$10 death and specified injuries. \$16 (others)	
Michigan	90 days	Unlimited	1 week. None if disabled 6 wks.	60	\$14.00	\$4 (death and specified injuries, \$7 others.
Minnesota	90 days	\$100	1 week. None if disabled 4 wks.	30 to 66 2/3 death, 66 2/3 disability		\$7.00.
Montana	2 weeks	\$100	2 weeks. None if disabled 6 wks.	30 to 50 (death), 50 (disability)	\$18.00	\$6.50.
Nebraska	Unlimited	Unlimited	1 week. None if disabled 6 wks.	66 2/3	\$12.50	\$6.00.
Nevada	90 days	Unlimited	1 week. None if disabled 2 wks.	15 to 66 2/3 (death). 60 (total disability), 50 permanent partial disabil.	\$15.00	\$6.00.
					\$18.46 (death),	
					\$9.23 to \$16.62	\$6.92 (disability).

Table No. 2—Medical Service, Waiting Periods, Wage Percentages, and Weekly Maxima and Minima

State	MEDICAL SERVICE		Waiting Period.	Per Cent of Wages	Weekly Maximum	Weekly Minimum
	Period	Amount				
New Hamp. ....	No provision .....	No provision .....	2 weeks .....	50 .....	\$10.00 .....	No provision.
New Jersey .....	Unlimited .....	\$50 .....	10 days .....	35 to 60 (death), 66 2/3 (disability) .....	\$12.00 .....	\$6.00.
New Mexico .....	10 days .....	\$150 .....	10 days .....	15 to 60 (death), 50 disability .....	\$18 (death), \$12 disability .....	\$6 (disability).
New York .....	Unlimited .....	Unlimited .....	2 weeks. None if disabled over 7 weeks .....	15 to 66 2/3 (death), 66 2/3 (disability) .....	\$19.23 (death), \$20 disability .....	\$5 (disability).
N. Dakota .....	Unlimited .....	Unlimited .....	1 week. None if disabled over 1 week .....	20 to 66 2/3 (death), 66 2/3 (disability) .....	\$20.00 .....	\$3.60 to \$12 (death), \$6 (disability).
Ohio .....	Unlimited .....	\$200 .....	1 week .....	66 2/3 .....	\$15 (death) and temporary to- tal, \$12 oth- ers) .....	\$5 (total disability).



Oklahoma	60 days	\$100	1 week. None if disabled 3 wks.	50	\$18	\$8
Oregon	Unlimited	\$250	None	Monthly pension 40 to 66 2/3%	\$12.69 to \$22.38	\$15 (death), (monthly pension), \$30 (total disability), monthly pension).
Pennsylvania	30 days	\$100	10 days	15 to 60 (death), 60 (disability)	\$12	\$1.50 to \$6 (death), \$6 (disability).
Porto Rico	Unlimited	Unlimited	None	50 (temporary total)	\$12 (temporary total)	\$3 (temporary total).
Rhode Island	8 weeks	\$200	1 week. None if disabled over 4 weeks	50	\$16 (total disability), \$10 (others)	\$7 (total disability, \$4 (others).
S. Dakota	12 weeks	\$150	10 days. None if disabled 6 wks.	55	\$15 (disability)	\$6.50 (disability).
Tennessee	30 days	\$100	2 weeks. None if disabled 6 wks.	20 to 50 (death), 50 (disability)	\$11	\$5.
Texas	2 weeks	Unlimited	1 week	60	\$15	\$5.
Utah	Unlimited	\$500	3 days	60	\$16	\$7 (disability).

Table No. 2—Medical Service, Waiting Periods, Wage Percentages, and Weekly Maxima and Minima

State	MEDICAL SERVICE		Waiting Period.	Per Cent of	Weekly Maximum	Weekly Minimum
	Period	Amount				
Vermont	2 weeks	\$100	1 week	15 to 45 (death), 50 (disability)	\$12.50 (total dis- ability), \$10 partial disabil- ity)	\$0.75 to \$2.25 (death), \$3 (total disabil- ity).
Virginia	60 days	Unlimited	10 days. None if disabled over 6 weeks	50	\$12	\$5
Washington	Unlimited	Unlimited	1 week. None if disabled over 30 days	Monthly pension	\$50 (monthly pension)	\$10 (death), (monthly pen- sion), \$30 (to- tal disability), (monthly pen- sion).
W. Virginia	Unlimited	\$600	1 week	50 (disability), monthly pen- sion (death)	\$12 (disability)	\$5 (disability).
Wisconsin	90 days	Unlimited	1 week. None if disabled over 4 weeks	65	\$16.90	\$6.83.



Wyoming .....	Unlimited .....	\$200 .....	1 week. None if disabled over 3 weeks .....	Monthly pension (temporary total), fixed amounts (others) .....	\$60 (temporary total), monthly pension .....	\$35 (temporary total), (monthly pension).
United States. Unlimited .....	Unlimited .....	Unlimited .....	3 days .....	10 to 66 2/3 (death), 66 2/3 (disability) .....	\$15.38 .....	\$1.15 to \$7.69 (death), \$7.69 (total disability).

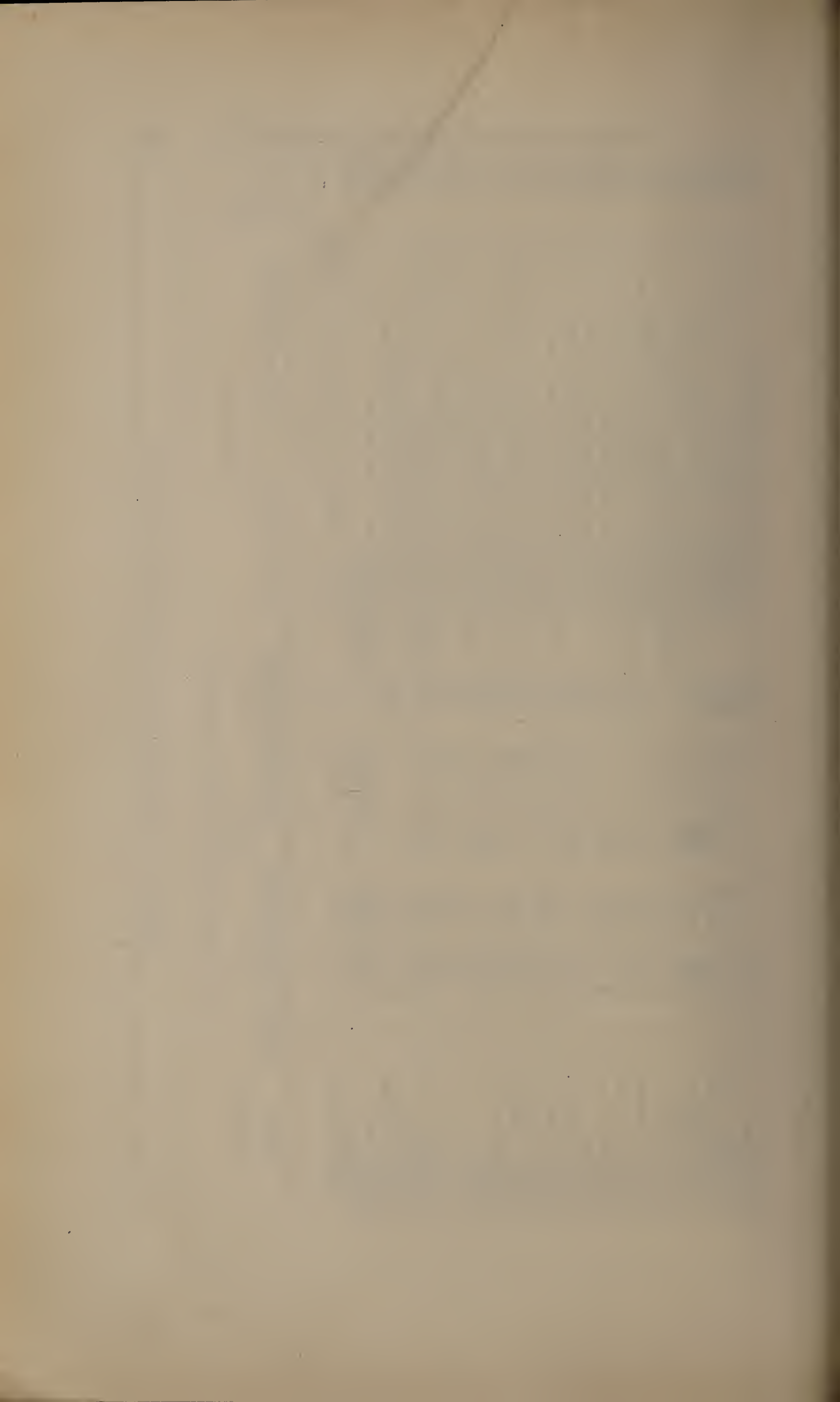
Table No. 3—Maximum Period and Amount in Fatalities and Permanent Total and Permanent Partial Disabilities, Methods of Administration and Percentages of Coverage

STATES	MAXIMUM PERIOD AND AMOUNT						Administration	Per Cent of Employees Subject to Act
	Death		Permanent Total		Partial			
	Weeks	Amount	Weeks	Amount	Weeks	Amount		
	Weeks	Amount	Weeks	Amount	Weeks	Amount		
Alabama .....	300	\$ 5,000	550	\$ 5,000	300		Courts .....	33.6
Alaska .....	400	\$ 6,000		\$ 6,000		\$ 4,800	Courts .....	31.2
Arizona .....	400	\$ 4,000	*	\$ 4,000	†	\$ 4,000	Courts .....	52.4
California .....	240	\$ 5,000	*		240		Industrial accident commission .....	76.2
Colorado .....	312	\$ 3,125	*		†	\$ 2,600	Industrial commission .....	63.1
Connecticut .....	312		520		520		Board of five compensation commissioners .....	
Delaware .....	285		475	\$ 4,000	285		Industrial accident board .....	81.9
Georgia .....	300	\$ 4,000	350	\$ 5,000	300		Industrial commission .....	62.9
Hawaii .....	312	\$ 5,000	312	\$ 5,000	312	\$ 5,000	Industrial accident board for each county .....	92.6
Idaho .....	400		*		150		Industrial accident, board .....	68.7
Illinois .....	416	\$ 4,250	*		416		Industrial commission .....	55.4
Indiana .....	300	\$ 5,000	500	\$ 5,000	300		Industrial board .....	79.4
Iowa .....	300		400		225		Industrial commissioner .....	62.7
Kansas .....	260	\$ 3,800	416		416		Courts .....	63.9
Kentucky .....	335	\$ 4,000	416	\$ 6,000	335	\$ 4,000	Workmen's compensation board .....	60.2
Louisiana .....	300		400		300		Courts .....	35.2
Maine .....	300	\$ 4,000	500	\$ 6,000	300		Industrial accident commission .....	72.9
Maryland .....	416	\$ 5,000	*	\$ 5,000		\$ 3,500	Industrial accident commission .....	45.9
Massachusetts .....	500	\$ 4,000	500	\$ 4,000	†	\$ 4,000	Industrial accident board .....	87.8
Michigan .....	300		500	\$ 7,000	500		Industrial accident board .....	83.1
Minnesota .....	†		*	\$ 10,000	300		Industrial commission .....	79.0
Montana .....	400		*		150		Industrial accident board .....	50.9



Nebraska .....	350			*		300	Compensation commissioner .....	70.4
Nevada .....	†			*		433	Industrial commission .....	76.2
New Hampshire .....	300	\$ 3,000		300		300	Courts .....	56.0
New Jersey .....	300			400		300	Workmen's compensation bureau .....	99.8
New Mexico .....	300			520			Courts .....	30.7
New York .....	†			*		†	Industrial commission .....	80.1
North Dakota .....	†			*		†	Workmen's compensation bureau .....	46.8
Ohio .....	416	\$ 5,000		*		†	Industrial commission .....	76.3
Oklahoma .....	\$			500			Industrial commission .....	35.9
Oregon .....	†			*		104	Industrial accident commission .....	48.7
Pennsylvania .....	300			500	\$ 5,000	300	Workmen's compensation board .....	88.8
Porto Rico .....		\$ 4,000			\$ 4,000		Workmen's relief commission .....	20.5
Rhode Island .....	300			500	\$ 5,000	300	Courts .....	82.0
South Dakota .....	378	\$ 3,000		*	\$ 3,000	312	Industrial commission .....	58.0
Tennessee .....	400			550	\$ 5,000	300	Courts .....	37.2
Texas .....	360			401		300	Industrial accident board .....	47.9
Utah .....	312	\$ 5,000		*		312	Industrial commission .....	74.4
Vermont .....	260	\$ 3,500		260	\$ 4,000	260	Commissioner of industries .....	55.2
Virginia .....	300	\$ 4,500		500	\$ 4,500	300	Industrial commission .....	45.6
Washington .....	†			*			Industrial insurance department .....	51.5
West Virginia .....	†			*		340	Compensation commissioner .....	80.1
Wisconsin .....	320	\$ 4,500		780		†	Industrial commission .....	75.4
Wyoming .....		\$ 3,600			\$ 8,000		Courts .....	46.3
United States .....	†			*		†	U. S. Employees' Compensation Commission .....	100.0

\*Life. †Death or Remarriage. ‡During Disability. §Not Covered. °3 Years' Earnings.





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PART III.

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STATISTICAL

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## SEC. 1—STATISTICS REQUIRED UNDER SEC. 37, WORKMEN'S COMPENSATION ACT 1919

Sec. 37 of the Act requires that the following information be embodied in the Commissioner's "detailed and statistical" report:

- (1) Results operation of Act.
- (2) Number employers carrying their own insurance.
- (3) Number of employers insured by underwriters.
- (4) Number of underwriters operating in Alabama.
- (5) Extent underwriters' business.
- (6) Underwriters' premium rates.
- (7) Alabama's underwriters' premium rates compared with other States.
- (8) Recommendations for improvement or amendment of Workmen's Compensation Act.

The Commissioner's observations and recommendations have been made covering Nos. 1 and 8 of the above list in Part I of this report.

In reviewing the following statistics the fact that the Commissioner has been allowed only one clerk should be borne in mind.

### ACCIDENT REPORTING

As a general rule three reports are received by the Commissioner covering each accident. These forms are accompanied by at least two letters of transmittal. Thus it will be seen that five papers on the average are to be filed covering every case. Using this as a basis it follows that 81,520 papers have been received, serially numbered, card-indexed and filed, during the past three years, a daily average of 95 forms and letters. In addition to the foregoing, index cards bearing statistical information are executed in each case and alphabetically filed under employer by employee. This runs the total of papers filed and indexed for the period up to 97,824, a conservative estimate, inasmuch as correspondence has to be initiated in many cases requiring investigation.

Special reports are made to the State Rehabilitation Department covering each injury in which it appears that the injury sustained will likely result in permanent disability. In the same manner cases in which there have been appar-

ent violations of the Child Welfare Act are reported to the proper department.

#### GENERAL CORRESPONDENCE

Letters of a general nature, with enclosures, received, answered, and filed alphabetically.....	1,026
Requests for accident report blanks answered, blanks shipped, and receipt-acknowledgments filed..... (From 5 to 1,000 blanks shipped in each consignment.)	335
Requests for copies of the Workmen's Compensation Act answered, copies mailed, receipt-acknowledgments filed ..... (From 1 to 100 copies Act mailed in each consignment.)	60
Requests for copies of Bulletin No. 1 answered, copies mailed, and acknowledgment filed..... (From 1 to 100 copies Bulletin mailed in each consignment.)	25
Requests for an Industrial Directory of the State received, answered, and requests filed for future compliance .....	40
<hr/>	
Total letters answered and filed.....	1,486

An "Information File" has been instituted covering the general subject of workmen's compensation. This file has been arranged by subject matter and every available article, publication, and record of injury having a bearing on some special feature of the Act is filed under its proper heading.

In addition to the foregoing the following have been instituted:

(a) Tracer postal card, covering incomplete reports or information, reducing postage fifty per cent.

(b) Compilation of a directory of Alabama underwriters and their local claim adjusters.

(c) List of employers electing themselves both under and from under the Act.

(d) Bulletin No. 1 containing calendars for the purpose of ascertaining the number of working days between two given dates; a table of present values; directory of Alabama underwriters; synopsis or schedule of the Act's benefits; and general suggestions covering the submission of accident reports.



There has been quite a demand for this pamphlet, inasmuch as only 250 of the one thousand originally printed now remain on hand. Several underwriters have supplied each of their assureds with a copy of this bulletin.

(e) Directory of employers who have reported their 1920-21 accidents.

(f) An industrial directory of the State was initiated by the clerk and partially completed during 1922. However, on account of the press of current work its completion had to be discontinued. Numerous requests have been received for such a directory from all over the Union, in addition to a local demand.

(g) A detailed study of the personnel, laws, manner of administration, and budgets of twenty compensation states was made and filed for the information of the Legislature.

#### REVIEWED SETTLEMENTS—OCT. 1, 1921-OCT. 1, 1922

Prior to Oct. 1, 1921, no record was kept of reviewed cases

Month	REVIEWED						COMPENSATION	
	Total	Tem- porary		Perma- nent		Fatal	Overpaid by Self-Insured Employers	Total
		Total	Partial	Total	Partial			
1921								
October .....	149	134	1	0	14	0	\$ 2,842.43	\$ 12,431.46
November .....	13	10	0	0	2	1	1,553.80	4,385.78
December .....	179	177	0	0	2	0	2,629.93	9,133.13
1922								
January .....	23	15	0	1	7	0	1,257.77	5,101.26
February .....	104	103	0	0	1	0	606.50	4,139.24
March .....	219	195	0	0	24	0	1,679.19	5,783.54
April .....	101	90	0	0	11	0	6,791.00	18,525.00
May .....	57	50	0	0	7	0	1,430.97	7,935.46
June .....	296	275	0	0	15	6	3,309.45	38,423.09
July .....	144	127	0	0	12	5	2,414.01	30,478.85
August .....	78	65	0	0	11	2	1,351.54	12,106.05
September*								
Totals.....	1363	1241	1	1	106	14	\$ 25,866.59	\$148,442.86

\*Reviewing of cases temporarily discontinued in order to give necessary time to preparation of Report.

Average payment per case in reviewed cases.....\$108.90

Average overpayment per case in reviewed cases..... 18.97

In reviewing the foregoing cases many underpayments were discovered. However, upon calling the attention of the employer or the insurance carrier to such discrepancy, adjustments were immediately made and the Commissioner notified to that effect.

As a general rule, the settlements have been fair and just. Many instances have arisen where the medical maximum of \$100 has been disregarded by both self-insureds and insurance companies and the necessary attention, regardless of maximum, has been afforded in each case. The larger self-insured corporations have been unusually zealous in alleviating suffering and have not only met but have exceeded their obligations to their employees under the Act. This statement is made in view of the popular opinion that corporations are heartless.

#### COVERAGE

The files of the Commissioner indicate that during the past three years 3,868 employers have reported their compensable accidents. In view of the limited personnel which has been provided, the Commissioner has been unable to institute any follow-up on employers delinquent in accident reporting. The records of Alabama probate judges indicate there have been four rejections of the Act.

Number of employers carrying their own insurance.....	450
Number of employers carrying their risk with insurance companies .....	3,418



EXTENT ALABAMA COMPENSATION UNDERWRITERS'  
BUSINESS 1920-1921

The following table has been compiled from the annual reports of the Insurance Commissioner. Due to the fact that the insurance companies of the State are not required to render their annual reports to the Insurance Commissioner before March 31st of the following year it has been impossible to include in this report the Alabama underwriters' compensation business for the year 1922. However, the Commissioner has been informed by the Compensation Rating & Inspection Bureau, Montgomery, Ala., that it will approximate \$900,000.00.

Name and Class of Underwriter	WORKMEN'S COMPENSATION			
	1920		1921	
	Premiums Written	Losses	Premiums Written	Losses
<b>Stock Companies:</b>				
1. Aetna Cas. & Surety Co. ....	\$ 23,561.97	\$ 3,930.17	\$ 8,010.75	\$ 6,051.23
2. Aetna Life Ins. Co. ....	70,119.28	15,536.28	44,881.15	16,907.93
3. Continental Cas. Co. ....	29,199.06	6,465.74	19,878.12	7,456.00
4. Emp. Liab. Ins. Co. ....	33,449.89	7,732.97	27,982.31	13,186.50
5. Fid. & Cas. Co., N. Y. ....	14,748.01	2,645.36	15,494.42	6,162.05
6. Fid. Union Cas. Co. ....			8,008.19	5,020.05
7. Gen. Ac. Ins. Co. ....	2,519.41	577.56	2,124.00	321.53
8. Georgia Cas- ualty Co. ....	220,543.28	47,517.15	90,677.00	56,637.81
9. Globe Indem- nity Co. ....	5,219.66	199.66	24,211.16	6,862.09
10. Hartf. Ac. & Ind. Co. ....	34,355.84	4,906.27	36,747.92	15,137.84
11. Home Life & Ac. Co. ....	50,732.61	6,918.95	36,034.20	14,203.88
12. Indemnity Ins. Co., N. A. ....			1,358.27	18.00
13. London Guar. & Ac. Co. ....	45,655.10	8,736.33	45,899.80	18,968.68
14. Maryland Cas- ualty Co. ....	141,502.69	31,711.11	104,153.66	42,496.77
15. New Amster- dam Cas. Co. ....	434.09		3,365.17	889.30
16. Ocean Ac. & Guar. Corp. ....	66,966.64	10,063.34	55,059.06	30,512.96
17. Royal Indem- nity Co. ....	23,859.53	6,651.11	13,079.93	5,375.19
18. Southern Cas- ualty Co. ....	453.34		61.33	
19. Southern Sure- ty Co. ....	115.00	9.43	101.32	

Name and Class of Underwriter	WORKMEN'S COMPENSATION			
	1920		1921	
	Premiums Written	Losses	Premiums Written	Losses
20. Standard Ac. Ins. Co. ....	32,929.00	5,129.77	31,448.26	13,065.21
21. Travelers Ins. Co. ....	82,025.27	24,944.79	68,918.73	27,588.48
22. Union Indem- nity Co. ....	19,906.69	2,488.58	10,223.42	5,599.56
23. U. S. Casual- ty Co. ....	119,167.50	37,556.84	77,373.41	32,229.11
24. U. S. Fid. & Guar. Co. ....	249,810.80	72,342.58	144,753.94	73,615.30
Totals for Stock Companies .....	\$ 1,267,275.02	\$295,703.99	\$ 869,845.52	\$398,305.47
<b>Mutuals:</b>				
25. Amer. Mine Owners Mut. ....	\$ 90,764.27	\$ 13,511.34	\$ 58,081.76	\$ 36,750.21
26. Amer. Mutual Liab. ....	101,103.34	47,482.61	134,408.03	56,493.79
27. Amer. Reins. Co. ....			5,091.14	
28. Integrity Mut. Cas. Co. ....	46,328.50	5,561.75	31,510.24	12,872.34
29. Lumbermen's Mut. Cas. ....	51,800.80	8,881.58	3,715.32	14,031.78
Totals for Mutuals	\$ 1,557,271.93	\$371,141.27	\$ 1,102,652.01	\$518,453.59
<b>Reciprocal Com- panies:</b>				
30. Emp. Indem. Corp. ....	\$ 8,690.29	\$ 2,280.01	\$ 6,777.03	\$ 4,579.74
Totals 1920-1921.....	\$ 1,565,962.22	\$373,421.28	\$ 1,109,429.04	\$523,033.33

## PREMIUM RATES

The insurance companies of the State engaged in writing workman's compensation insurance are required to send each application for a workmen's compensation insurance policy to the Compensation Rating & Inspection Bureau, Montgomery, Ala., who stamps and approves all classifications and rates appearing thereon, for the purpose of determining that a fair and adequate amount of premium has been collected to protect the company, that no overcharge has been made, and that the risk is properly classified so as to protect the assured.

The risk, if an industrial manufacturing plant, is subject to a rate adjustment which is accomplished by a physical



inspection of the plant by a Rating Bureau inspector who files his report with such Bureau, which, in turn, promulgates just rates, which reflect the true physical conditions of the industrial manufacturing plant in question.

The risk may be subjected to further rate adjustment by what is known as the system of "Industrial experience rating." This method of rating is not only applicable to manufacturing plants, but is applied to every other risk in the State which produces at least 18 months' coverage with some insurance company and develops \$450 in premiums for a like period. This system of rating is utilized to measure intangible conditions found in risks of this character and reflects in a fairly accurate manner the favorable or unfavorable working conditions in the plant.

During the three years the Compensation Rating & Inspection Bureau has been in operation, inspecting plants and promulgating their premium rates, they state that in eighty-five per cent of the instances rates have been lowered from the basic manual rate, which condition indicates an aroused interest of Alabama employers in the safe-guarding of their employees' life and limb and improving their working conditions. The employer benefits thereby, not only in the financial saving caused by a lowered rate and cheaper insurance, but the saving of time and money resulting from accident prevention methods.

Compensation Rating Bureau safety inspectors are not permitted to make any recommendations or criticisms of an assured's plant, this being an opposite attitude from that taken by the Fire Underwriters Bureau. This limitation has proved quite confusing to the employers of the State. It is important that this be remedied, inasmuch as this state of affairs is not conducive to accident prevention.

The Compensation Rating & Inspection Bureau does not cover in its activities the mining industries of the State. The inspection of Alabama mines and the promulgation of their premium rates are under the supervision of the Southern Coal Mine Rating Bureau, Louisville, Ky.

COMPARISON OF ALABAMA PREMIUM RATES (COAL  
MINING EXCLUDED)

Classification	Code No.	Ala. Rate	Ga. Rate	Tenn. Rate
Bakeries .....	2000	\$1.15	\$1.11	\$1.25
Contractors .....	5642	2.11	2.05	2.22
Cotton seed oil manufacturing .....	4670	3.97	3.90	4.50
Cotton spinning and weaving.....	2222	.46	.44	.53
Foundries (iron) .....	3081	1.25	1.18	1.35
Laundries .....	2581	.83	.80	.89
Logging and lumber.....	2702	3.07	2.95	3.44
Machine shops .....	3632	1.19	1.13	1.29
Planing mills .....	2731	1.82	1.76	1.97
Saw mills .....	2710	2.98	2.88	3.10

Note: Above rates are those charged on each \$100 of pay-roll expenditure.

## COMPARISON OF ALABAMA COAL MINING PREMIUM RATES

STATE	Base Rates	Minimum Rates
ALABAMA .....	\$3.15	\$2.00
Tennessee .....	2.75	1.90
Georgia .....	2.55	1.53
Colorado .....	3.85	2.30
Illinois .....	5.60	.....
Indiana .....	3.55	2.17
Iowa .....	3.00	1.75
Kansas .....	3.65	2.19
Kentucky .....	3.40	2.50
Maryland .....	3.10	1.65
Michigan .....	3.30	1.98
Montana .....	3.80	2.28
New Mexico .....	3.45	2.07
Oklahoma .....	4.40	2.30
Pennsylvania:		
Bituminous Mining .....	2.35	1.40
Anthracite Mining .....	3.00	2.25
Texas .....	3.10	1.86
Utah .....	4.30	2.50
Virginia .....	2.50	1.50



SEC. 2.—STATISTICAL TABLES COVERING COMPENSABLE ACCIDENTS, CALENDAR YEARS  
1920, 1921, 1922.

The Commissioner endeavored in the compilation of the following statistical tables to comply with the minimum requirements of the statistical committee of the International Association of Industrial Accident Boards and Commissions, as well as the recommendations of the U. S. Bureau of Labor Statistics, set forth on page 59, Bul. 301, April, 1922.

The purposes and vital importance of accurate statistics have been constantly borne in mind by the Commissioner. It was hoped sufficient clerical assistance would be allowed the department to compile more adequate data than those presented herewith which would prove of interest and assistance to employees, employers, and the Legislature. However, it was not until May, 1923, that sufficient additional personnel was authorized, and the real work of statistical compilation begun.

It is regrettable that none of these cost data include medical or hospital services. However, this condition has since been remedied by amending the accident report blanks. Future statistical reports should contain this all important information.

Neither do these data reflect the true number or cost of accidents, in that, under the Act, only compensable accidents are required to be reported; in other words, only those accidents the disability periods of which have exceeded two weeks.

In order that accurate statistics and cost data may be accumulated some system of accident reporting should be devised whereby compensable accidents would be regularly reported as heretofore, and in addition thereto all other accidents in which money or time losses occur. It has been brought to the Commissioner's attention that compensable accidents cover only approximately 25% of all the injuries occurring in Alabama.

For the benefit of succeeding administrations attention is invited to the fact that the following tables are elastic in that they can be expanded within themselves to meet the requirements of increasing personnel and facilities.

It is to be hoped that future commissioners will give due consideration to this subject and adhere closely to the rec-

ommendations of the U. S. Bureau of Labor Statistics published in their bulletins from time to time. In this way alone can Alabama's industrial accident experience be compared with other states.

For the purpose of weighting all injuries of a fatal or permanent nature so as to show the severity of accidents the following comparative table showing the estimated time loss incident to each class of injury is reproduced from p. 18, Bul. 276, U. S. Bureau Labor Statistics:

SCALE OF TIME LOSSES FOR WEIGHTING INDUSTRIAL  
ACCIDENT DISABILITIES SO AS TO SHOW  
SEVERITY OF ACCIDENTS

Nature of Injury	Degree of disability in percent of permanent total disability	Days Lost
Death .....	100	6,000
Permanent total disability.....	100	6,000
Arm above elbow, dismemberment.....	75	4,500
Arm at or below elbow, dismemberment.....	60	3,600
Hand, dismemberment .....	50	3,000
Thumb, any permanent disability of.....	10	600
Any 1 finger, any permanent disability of.....	5	300
2 fingers, any permanent disability of.....	12½	750
3 fingers, any permanent disability of.....	20	1,200
4 fingers, any permanent disability of.....	30	1,800
Thumb and 1 finger, any permanent disability of .....	20	1,200
Thumb and 2 fingers, any permanent disability of .....	25	1,500
Thumb and 3 fingers, any permanent disability of .....	33 1/3	2,000
Thumb and 4 fingers, any permanent disability of .....	40	2,400
Leg above knee, dismemberment.....	75	4,500
Leg at or below knee, dismemberment.....	50	3,000
Foot, dismemberment .....	40	2,400
Great toe, or any 2 or more toes, any permanent disability of.....	5	300
1 toe, other than great toe, any permanent disability of .....	0	
1 eye, loss of sight.....	30	1,800
Both eyes, loss of sight.....	100	6,000
1 ear, loss of hearing.....	10	600
Both ears, loss of hearing.....	50	3,000



Table No. 1—Number and Cost of Compensable Accidents, by Extent of Disability. Calendar Year 1920

Note: Medical aid statistics not supplied Commissioner.

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Deaths, with dependents.....	141	\$352,375.41	\$ 2,499.12	\$ 14,100.00
Deaths, without dependents...	45	4,500.00	100.00	4,500.00
<b>All Deaths .....</b>	<b>186</b>	<b>\$356,875.41</b>	<b>\$ 1,918.69</b>	<b>\$ 18,600.00</b>
<b>Permanent Total Disabilities:</b>				
Loss of both eyes.....	3	\$ 13,100.00	\$ 4,366.67	
Loss of both arms.....				
Loss of both hands.....				
Loss of both legs.....	1	3,123.20	3,123.20	
Loss of both feet.....	1	5,000.00	5,000.00	
Paralysis of both arms or legs .....	2	10,000.00	5,000.00	
Loss of mental faculties.....				
Other permanent total disabilities .....	3	10,000.00	3,333.33	
<b>All Permanent Total Disabilities .....</b>	<b>10</b>	<b>\$ 41,223.20</b>	<b>\$ 4,122.32</b>	
<b>Permanent Partial Disabilities:</b>				
Loss of arm.....	6	\$ 14,608.50	\$ 2,434.75	
Loss of hand.....	10	14,611.79	1,461.18	
Loss of thumb.....	20	11,314.26	565.71	
Loss of index finger.....	39	13,911.49	356.70	
Loss of middle finger.....	29	7,694.30	265.32	
Loss of ring finger.....	9	1,500.48	166.72	
Loss of little finger.....	15	2,171.35	144.76	
Loss of thumb and 1 or more fingers .....	5	4,632.80	926.56	
Loss of 2 or more fingers.....	38	20,987.96	552.05	
Loss of 1 phalanx of thumb.....	26	9,166.97	352.58	
Loss of 1 phalanx of index finger .....	54	8,190.76	151.68	
Loss of 1 phalanx of middle finger .....	41	6,420.73	156.61	
Loss of 1 phalanx of ring finger .....	23	2,848.72	123.86	
Loss of 1 phalanx of little finger .....	27	2,892.59	107.13	
Loss of fingers with injuries to other fingers.....	6	2,255.87	375.98	
Loss of one leg.....	28	43,945.16	1,569.47	

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Loss of toes.....	16	5,718.62	357.41	
Loss of one eye.....	37	40,335.95	1,090.16	
Loss of 1 eye with injury to other .....				
Other partial disabilities.....	46	35,645.81	774.87	
<b>All Permanent Partial Disa- bilities .....</b>	475	\$248,854.11	\$ 523.90	
<b>Temporary Disabilities:</b>				
2 to 4 weeks.....	3,252	\$ 77,778.84	\$ 23.92	
5 to 8 weeks.....	1,512	110,537.11	73.11	
9 to 12 weeks.....	377	50,855.80	134.90	
13 to 16 weeks.....	148	27,235.78	184.03	
17 to 20 weeks.....	77	16,800.84	218.19	
21 to 24 weeks.....	41	13,562.29	330.79	
25 to 28 weeks.....	27	8,386.48	310.61	
29 to 32 weeks.....	21	7,368.34	350.87	
33 to 36 weeks.....	6	2,337.80	389.63	
37 to 40 weeks.....	9	4,393.83	488.20	
41 to 44 weeks.....	2	1,293.00	646.50	
45 to 48 weeks.....	2	1,074.00	537.00	
49 to 52 weeks.....	3	1,714.79	571.60	
Over 52 weeks.....	10	9,908.15	990.82	
<b>All Temporary Disabilities.....</b>	5,487	\$333,247.05	\$ 60.73	
<b>Grand total .....</b>	6,158	\$980,199.77	\$ 159.18	\$ 18,600.00



Table No. 1(a)—Number and Cost of Compensable Accidents, by  
Extent of Disability. Calendar Year 1921

Note: Medical aid statistics not supplied Commissioner.

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Deaths, with dependents.....	119	\$199,554.77	\$ 1,676.93	\$ 11,900.00
Deaths, without dependents...	25	2,500.00	100.00	2,500.00
All Deaths .....	144	\$202,054.77	\$ 1,403.16	\$ 14,400.00
Permanent Total Disabil- ities:				
Loss of both eyes.....	3	\$ 8,682.00	\$ 2,894.00	
Loss of both arms.....				
Loss of both hands.....				
Loss of both legs.....				
Loss of both feet.....				
Paralysis of both arms or legs .....	1	3,900.00	3,900.00	
Loss of mental faculties.....	1	4,000.00	4,000.00	
Other permanent total disa- bilities .....	9	23,189.66	2,576.63	
All Permanent Total Disabil- ities .....	14	\$ 39,771.66	\$ 2,840.84	
Permanent Partial Disabil- ities:				
Loss of arm.....	10	\$ 17,093.77	\$ 1,709.38	
Loss of hand.....	6	7,425.55	1,060.79	
Loss of thumb.....	21	10,657.67	507.51	
Loss of index finger.....	28	8,198.63	292.81	
Loss of middle finger.....	28	5,822.98	207.96	
Loss of ring finger.....	7	1,129.13	161.30	
Loss of little finger.....	19	4,447.63	234.09	
Loss of thumb and one or more fingers .....	1	1,117.00	1,117.00	
Loss of 2 or more fingers.....	34	20,289.86	596.75	
Loss of 1 phalanx of thumb...	26	6,944.58	267.10	
Loss of 1 phalanx of index finger .....	32	8,305.90	259.56	
Loss of 1 phalanx of middle finger .....	21	4,021.67	191.51	
Loss of 1 phalanx of ring fin- ger .....	4	650.00	162.50	
Loss of 1 phalanx of little finger .....	8	667.02	83.38	
Loss of fingers with injuries to other fingers.....	17	7,224.32	424.90	
Loss of one leg.....	27	36,706.52	1,359.50	

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Loss of toes.....	5	2,232.50	446.50	
Loss of one eye.....	21	26,299.67	1,252.26	
Loss of 1 eye with injury to other .....				
Other partial disabilities.....	99	56,471.99	570.42	
<b>All Permanent Partial Disa- bilities .....</b>	414	\$225,706.39	\$ 545.18	
<b>Temporary Disabilities:</b>				
2 to 4 weeks.....	1,502	\$ 38,520.57	\$ 25.65	
5 to 8 weeks.....	1,587	92,657.87	58.39	
9 to 12 weeks.....	350	38,242.86	109.26	
13 to 16 weeks.....	128	19,033.38	148.70	
17 to 20 weeks.....	65	13,293.05	204.50	
21 to 24 weeks.....	30	9,361.17	312.03	
25 to 28 weeks.....	20	7,882.84	394.14	
29 to 32 weeks.....	17	7,834.28	460.84	
33 to 36 weeks.....	13	4,365.65	335.82	
37 to 40 weeks.....	3	1,122.41	374.13	
41 to 44 weeks.....	4	581.00	145.25	
45 to 48 weeks.....	3	1,521.80	507.27	
49 to 52 weeks.....	2	1,432.45	716.23	
Over 52 weeks.....	3	833.00	277.67	
<b>All Temporary Disabilities.....</b>	3,727	\$236,682.33	\$ 63.51	
<b>Grand total .....</b>	4,299	\$704,215.15	\$ 163.81	\$ 14,400.00



Table No. 1(b)—Number and Cost of Compensable Accidents, by  
Extent of Disability. Calendar Year 1922

Note: Medical aid statistics not supplied Commissioner.

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Deaths, with dependents.....	186	\$382,727.94	\$ 2,057.68	\$ 18,600.00
Deaths, without dependents...	45	4,500.00	100.00	4,500.00
<b>All Deaths .....</b>	<b>231</b>	<b>\$387,227.94</b>	<b>\$ 1,676.31</b>	<b>\$ 23,100.00</b>
<b>Permanent Total Disabil- ities:</b>				
Loss of both eyes.....				
Loss of both arms.....				
Loss of both hands.....				
Loss of both legs.....				
Loss of both feet.....				
Paralysis of both arms or legs .....				
Loss of mental faculties.....				
Other permanent total disa- bilities .....	4	10,823.72	2,705.93	
<b>All Permanent Total Disabil- ities .....</b>	<b>4</b>	<b>\$ 10,823.72</b>	<b>\$ 2,705.93</b>	
<b>Permanent Partial Disabil- ities:</b>				
Loss of arm.....	3	\$ 3,619.60	\$ 1,206.53	
Loss of hand.....	2	1,612.50	806.25	
Loss of thumb.....	11	6,186.50	562.41	
Loss of index finger.....	23	5,442.17	236.62	
Loss of middle finger.....	12	2,729.32	227.44	
Loss of ring finger.....	9	1,144.74	127.19	
Loss of little finger.....	15	2,354.96	156.99	
Loss of thumb and 1 or more fingers .....	2	1,106.98	553.49	
Loss of 2 or more fingers.....	27	15,105.81	559.48	
Loss of 1 phalanx of the thumb .....	15	5,388.70	372.58	
Loss of 1 phalanx of index finger .....	25	5,262.10	210.49	
Loss of 1 phalanx of middle finger .....	26	3,601.96	138.54	
Loss of 1 phalanx of ring finger .....	10	1,490.00	149.00	
Loss of 1 phalanx of little finger .....	20	2,104.24	105.21	
Loss of fingers with injuries to other fingers.....	7	1,395.42	199.15	

Injuries Causing—	Number of Cases	Compensation Paid and Outstanding		
		Total Amount	Average Amount Per Case	Death and Funeral
Loss of one leg.....	25	29,411.14	735.28	
Loss of toes.....	1	1,700.00	1,700.00	
Loss of one eye.....	24	20,509.35	854.55	
Loss of 1 eye with injuries to other .....				
Other partial disabilities.....	101	39,636.06	392.43	
<b>All Permanent Partial Disa- bilities .....</b>	358	\$149,801.55	\$ 418.44	
<b>Temporary Disabilities:</b>				
2 to 4 weeks.....	1,944	\$ 23,985.34	\$ 12.34	
5 to 8 weeks.....	2,450	135,529.54	55.32	
9 to 12 weeks.....	356	35,708.01	100.30	
13 to 16 weeks.....	260	19,010.65	73.37	
17 to 20 weeks.....	68	12,192.15	179.30	
21 to 24 weeks.....	46	8,735.59	189.90	
25 to 28 weeks.....	19	4,873.00	256.48	
29 to 32 weeks.....	12	2,883.11	260.25	
33 to 36 weeks.....	8	2,666.57	333.32	
37 to 40 weeks.....	4	934.05	243.51	
41 to 44 weeks.....	4	1,313.25	328.32	
45 to 48 weeks.....	2	1,218.33	608.16	
49 to 52 weeks.....	2	556.72	278.36	
Over 52 weeks.....	1	769.92	769.92	
<b>All Temporary Disabilities.....</b>	5,176	\$250,376.23	\$ 48.37	
<b>Grand total .....</b>	5,769	\$798,229.44	\$ 138.37	\$ 23,100.00



Table No. 2—Number of Compensable Accidents by Industry and Extent of Disability. Calendar Year 1920

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partial	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
I. Agriculture .....							
II. Mining, Metallurgy and Quarrying:							
a. Mining: *							
1. Coal mining .....	1,253	64	4	67	159	318	641
2. Graphite mining .....	9			1	1	2	5
3. Ore mining .....	633	14		28	99	178	314
b. Metallurgy:							
1. Coke ovens .....	85	5		2	10	27	41
2. Slag dealers .....	9			2	1	1	5
c. Quarries and Stone Crushing:							
1. Quarrying rock and marble .....	31			3	3	6	19
2. Clay and sand digging .....	13				3		10
All Mining, Metallurgy, and Quarrying .....	2,033	83	4	103	276	532	1,035
III. Other Extractive Industries:							
a. Forestry:							
1. Logging .....	132	19		7	21	27	58
2. Naval stores .....	5					1	4
All Other Extractive Industries .....	137	19		7	21	28	62
IV. Manufacturing:							
a. Food:							
1. Baking .....	22			2	2	7	11
2. Flour and grist-mill products .....	2			2			
3. Confectionery .....	2					2	
4. Dairy products .....	9					2	7
5. Packing house (not slaughtering) .....	14				1	3	10
6. Food preserving and cannig .....	6				1	1	4
7. Beverages .....	12			2	1	5	4

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Food .....	67			6	5	20	36
b. Textiles:							
1. Cotton gins .....	6				1		5
2. Cotton goods .....	188	4		30	26	41	87
3. Jute and hemp .....	3			1			2
4. Knit goods .....	19	1			2	7	9
All Textiles .....	216	5		31	29	48	103
c. Clothing:							
1. Clothing .....	3						3
2. Mattresses .....	3			1			2
All Clothing .....	6			1			5
d. Laundries, Cleaning and Dyeing:							
1. Laundries .....	15	1		3	1	3	7
2. Cleaning and Dye- ing .....							
All Laundries, Cleaning and Dyeing .....	15	1		3	1	3	7
e. Leather:							
1. Leather goods, mis- cellaneous .....	5	1					4
f. Composition Goods:							
1. Paper roofing .....	3					3	
g. Paper and Pulp Manu- facturing:							
1. Paper .....	4			1		2	1
h. Printing:							
1. Printing and pub- lishing .....	7			2		1	4
i. Wood Products:							
1. Saw mills .....	591	14	1	73	70	145	288
2. Planing mills .....	48			6	8	9	25
3. Cooperage .....	118	3		16	16	27	56
4. Coffins and caskets ..	8			1		2	5
5. Boxes (wooden) .....	25	1		5	3	9	7
6. Baskets .....	6			2		1	3
7. Pencil slats .....	1					1	
8. Veneer goods .....	29	1		6	1	9	12
9. Excelsior .....	1			1			
10. Showcases .....	3			1			2



INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partial	Temporary Disabilities		
					Over 8 Weeks	1 to 8 Weeks	2 to 4 Weeks
<b>All wood products</b> .....	830	19	1	111	98	203	398
j. Blast Furnaces, Steel Works, and Rolling Mills:							
1. Steel works .....	180	6	1	15	21	38	99
2. Iron foundries .....	987	15		57	88	237	590
3. Iron and steel fabrication .....	27			3	4	7	13
4. Locomotive foundries .....	10			2	1	1	6
5. Boilers and tanks.....	32			1	3	6	22
<b>All Blast Furnaces, Steel Works, and Rolling Mills</b>	1,236	21	1	78	117	289	730
k. Metal Goods:							
1. Hardware (miscellaneous) .....	2						2
l. Machinery, Forging:							
1. Automobiles and parts .....	41			5	1	10	25
m. Machinery (not forging or woodwork):							
1. Machine foundry.....	93			8	5	20	60
2. Sheet metal products .....	18			4		3	11
3. Wire and wire products .....	32			9	5	7	11
4. Machine shops .....	45	1		7	5	7	25
<b>All Machinery (not forging or woodwork)</b> .....	188	1		28	15	37	107
n. Vehicles:							
1. Wagons, carriages and parts .....	15			4		4	7
2. Railroad cars and parts .....	24					7	17
<b>All Vehicles</b> .....	39			4		11	24
o. Clay Products:							
1. Brick, tile and terracotta .....	29			2	4	5	18
p. Stone Products:							
1. Cement products .....	72			4	5	13	50
q. Chemicals:							
1. Explosives .....	5					1	4
2. Oil, tar by-products, and fertilizers .....	106	6		9	15	17	59

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Chemicals .....	111	6		9	15	18	63
All Manufacturing .....	2,871	54	2	285	290	663	1,577
V. Construction:							
a. Construction (not building erection):							
1. Clearing and grading .....	6			1	2	1	2
2. Street and highway construction .....	2			1	1		
3. Railroad construction .....	1		1				
4. Bridge construction .....	2					1	1
5. Dam construction .....	94	3		6	13	22	50
All Construction .....	105	3	1	8	16	24	53
b. Building Erection and Demolition:							
1. Carpentry .....	49	1		1	5	6	36
2. Wrecking .....	5	1				1	3
All Building Erection and Demolition .....	54	2		1	5	7	39
c. Shipbuilding:							
1. Shipbuilding, wood, steel, and concrete .....	259	9	2	31	31	67	119
All Construction .....	418	14	3	40	52	98	211
VI. Transportation and Public Utilities:							
a. Water Transportation:							
1. Steamers and tugboats .....	3	1				2	
2. Stevedoring .....	127			5	17	41	64
b. Steam and Electric Railroads:							
1. Steam railroads .....	175	3	1	18	17	43	93
c. Cartage and Trucking .....	57	2		3	4	19	29
d. Utilities:							
1. Utilities, public .....	149	6		7	22	33	81
All Transportation and Public Utilities .....	511	12	1	33	60	138	267



INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
<b>VII. Trade:</b>							
a. Stores:							
1. Wholesale .....	79	2		3	9	24	41
2. Retail .....	73	2		2	10	20	39
3. Warehouses .....	14				3	3	8
<b>All Trade .....</b>	<b>166</b>	<b>4</b>		<b>5</b>	<b>22</b>	<b>47</b>	<b>88</b>
<b>VIII. Clerical and Profes- sional Service:</b>							
a. Professional employ- ments .....	2			1	1		
b. Care and Custody of Buildings and Grounds:							
1. Theatres .....	1						1
2. Hotels and hospit- als .....	17			1	1	5	10
3. Educational insti- tutions .....	2					1	1
<b>All Clerical and Profes- sional Service .....</b>	<b>22</b>			<b>2</b>	<b>2</b>	<b>6</b>	<b>12</b>
<b>Grand total .....</b>	<b>6,158</b>	<b>186</b>	<b>10</b>	<b>475</b>	<b>723</b>	<b>1,512</b>	<b>3,252</b>

\*Includes one disaster of 11 fatalities.

Table No. 2(a)—Number of Compensable Accidents, by Industry and Extent of Disability. Calendar Year 1921

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Agriculture .....	2				1	1	
Mining, Metallurgy, and Quarrying:							
a. Mining:							
1. Coal mining .....	1,562	73	7	118	277	540	547
2. Graphite mining .....	16					7	9
3. Ore mining .....	87	2		4	21	30	30
b. Metallurgy:							
1. Coke ovens .....	9	1		1	3	2	2
2. Slag dealers .....	13	2		1	3	1	6
c. Quarries and Stone Crushing:							
1. Quarrying rock and marble .....	15			1	2	5	7
2. Clay and sand digging .....	11			1	1	3	6
All Mining, Metallurgy, and Quarrying .....	1,713	78	7	126	307	588	607
III. Other Extractive Industries:							
a. Forestry:							
1. Logging .....	143	10		21	12	45	55
2. Naval stores .....	3					2	1
All Other Extractive Industries .....	146	10		21	12	47	56
IV. Manufacturing:							
a. Food:							
1. Baking .....	8	1		2	1	1	3
2. Flour and grist-mill products .....	1			1			
3. Confectionery .....	3					3	
4. Dairy products .....	16			1	2	8	5
5. Packing houses (not slaughtering) .....	7				4		3
6. Food preserving and canning .....	4			1		2	3
7. Beverages .....	7			1	1	2	3



INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Food .....	46	1		6	8	15	16
b. Textiles:							
1. Cotton gins .....	48			5	6	24	13
2. Cotton goods .....	171			15	13	60	83
3. Jute and hemp .....	6				1	3	2
4. Knit goods .....	21			3	2	8	8
All Textiles .....	246			23	22	95	106
c. Clothing:							
1. Clothing .....	2					1	1
2. Mattresses .....	3			1	1	1	
All Clothing .....	5			1	1	2	1
d. Laundries, Cleaning and Dyeing:							
1. Laundries .....	7			2		2	3
2. Cleaning and dye- ing .....							
All Laundries, Cleaning and Dyeing .....	7			2		2	3
e. Leather:							
1. Leather goods. miscellaneous .....	3					1	2
f. Composition Goods:							
1. Paper roofing .....							
g. Paper and Pulp Manufacturing:							
1. Paper .....	1						1
h. Printing:							
1. Printing and pub- lishing .....	18	1		4		8	5
i. Wood Products:							
1. Saw mills .....	330	11	1	46	41	129	102
2. Planing mills .....	73	4		12	8	27	22
3. Cooperage .....	63	2		11	7	24	19
3. Coffins and caskets..	2			1			1
5. Boxes (wooden) .....	26	1	2	3	2	11	7
6. Baskets .....	1			1			
7. Pencil slats .....	3			1		1	1
8. Veneer goods .....	21			5	2	10	4

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
<b>All Wood Products</b> .....	519	18	3	80	60	202	156
j. Blast Furnaces, Steel Works, and Rolling Mills:							
1. Steel works .....	60	2		4	18	24	12
2. Iron foundries .....	514	7	2	25	55	219	206
3. Iron and steel fabrication .....	37			2	1	22	12
4. Locomotive foundries .....	9			2		5	2
5. Boilers and tanks.....	36			4	3	16	13
<b>All Blast Furnaces, Steel Works, and Rolling Mills</b> .....	656	9	2	37	77	286	245
k. Machinery, forging:							
1. Automobiles and parts .....	10				3	1	6
l. Machinery (not forging or woodwork):							
1. Machine foundry .....	2					1	1
2. Sheet metal products .....	15					10	5
3. Wire and wire products .....	26	1		5	5	7	8
4. Machine shops .....	4			1	2		1
<b>All Machinery (not forging or woodwork)</b> .....	47	1		6	10	19	15
m. Vehicles:							
1. Wagons, carriages and parts .....	8				2	3	3
2. Railroad cars and parts .....	30	2	1	7	2	9	9
<b>All Vehicles</b> .....	38	2	1	7	4	12	12
n. Clay Products:							
1. Brick, tile and terra cotta .....	27	1		1	1	11	13
o. Stone Products:							
1. Cement products.....	46	4		1	6	17	18
p. Chemicals:							
1. Explosives .....	28			5	6	10	7
2. Oil, tar by-products, and fertilizers .....	23			5	2	11	5



INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Chemicals .....	51			10	8	21	12
All Manufacturing .....	1,720	37	6	178	197	691	611
<b>V. Construction:</b>							
a. Construction (not building erection):							
1. Clearing and grading .....	4				1	2	1
2. Street and highway construction.....	16	1		1	2	9	3
3. Railroad construction .....	9	2			1	2	4
4. Bridge construction.....	13	1			2	3	7
5. Dam construction .....	11	1			1	4	5
All Constructiton .....	53	5		1	7	20	20
b. Building Erection and Demolition .....	98	1		5	20	34	38
c. Shipbuilding:							
1. Shipbuilding, wood.....	93			22	17	28	26
2. Steel and concrete.....	40	1		16	7	9	7
All Shipbuilding, Wood, Steel and Concrete.....	133	1		38	24	37	33
All Construction .....	284	7		44	51	91	91
<b>VI. Transportation and Public Utilities:</b>							
a. Water Transportation:							
1. Steamers and tugboats .....	1					1	
2. Stevedoring .....	68	2	1	3	10	30	22
b. Steam and Electric Railroads:							
1. Steam railroads .....	141	7		17	20	57	40
c. Cartage and Trucking.....	66			4	10	23	29
d. Utilities, Public .....	95	1		11	21	36	26
All Transportation and Public Utilities .....	371	10	1	35	61	147	117

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
<b>VII. Trade:</b>							
a. Stores:							
1. Wholesale .....	23			2	2	7	12
2. Retail .....	9	2		7			
3. Warehouses .....	10			1	1	5	3
All Trade .....	42	2		10	3	12	15
<b>VIII. Clerical and Profes- sional Service:</b>							
a. Professional Employ- ments .....	7				3	4	
b. Care and Custody of Buildings and Grounds	3				1	2	
1. Hotels and Hospitals...	9				2	3	4
2. Educational Institu- tions .....	2					1	1
All Clerical and Profes- sional Service .....	21				6	10	5
<b>Grand total .....</b>	<b>4,299</b>	<b>144</b>	<b>14</b>	<b>414</b>	<b>638</b>	<b>1,587</b>	<b>1,502</b>



Table No. 2(b)—Number of Compensable Accidents, by Industry and Extent of Disability. Calendar Year 1922

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
I. Agriculture: ..	2					1	1
II. Mining, Metallurgy, and Quarrying:							
a. Mining:							
1. Coal mining .....	2,115	169	2	113	303	893	635
2. Graphite mining .....	10				1	4	5
3. Ore mining .....	89	3		6	8	40	32
b. Metallurgy:							
1. Coke ovens .....	41	2		2	4	11	22
2. Slag dealers .....	20				1	10	9
c. Quarries and Stone Crushing:							
1. Quarrying rock and marble .....	14	1			3	8	2
All Mining, Metallurgy, and Quarrying: .....	2,289	175	2	121	320	966	705
III. Other Extractive Industries:							
a. Forestry:							
1. Logging .....	174	9		29	27	72	37
b. Oil Drilling .....	1			1			
c. Naval stores .....	7					5	2
All Other Extractive Industries .....	182	9		30	27	77	39
IV. Manufacturing:							
a. Food:							
1. Baking .....	4				1	3	
2. Flour and grist-mill products .....	1						1
3. Confectionery .....	3						3
4. Dairy products .....	4					3	1
5. Packing houses (not slaughtering) .....	21				1	13	7
6. Food preserving and canning .....	9				2	3	4

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Food .....	42				4	22	16
b. Textiles:							
1. Cotton gins .....	16			1	1	8	6
2. Cotton goods .....	163			19	16	70	58
3. Jute and hemp .....	13			2		6	5
4. Knit goods .....	15			4		6	5
All Textiles .....	207			26	17	90	74
c. Clothing:							
1. Clothing .....	4					3	1
2. Mattresses .....	3			2			1
All Clothing .....	7			2		3	2
d. Laundries, Cleaning and Dyeing:							
1. Laundries .....	10			1		3	6
All Laundries .....	10			1		3	6
e. Leather:							
1. Leather goods, miscellaneous .....	7				1	2	4
f. Paper and Pulp Manufacturing:							
1. Paper .....	6			1		2	3
g. Printing:							
1. Printing and pub- lishing .....	8			1		4	3
h. Wood Products:							
1. Saw mills .....	232	5		34	46	102	45
2. Planing mills .....	41			4	3	20	14
3. Cooperage .....	47			9	4	22	12
4. Coffins and caskets..	3					3	
5. Boxes (wooden) .....	27			1	3	8	15
6. Pencil slats .....	1			1			
7. Veneer goods .....	36	2		6	4	17	7
8. Showcases .....	2			1	1		
All Wood Products .....	389	7		56	61	172	93
i. Blast Furnaces, Steel Works, and Rolling Mills:							
1. Steel works .....	332	2		10	14	71	235
2. Iron foundries .....	619	12		32	71	111	393
3. Iron and steel fabrication .....	8					5	3



INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
4. Locomotive foundries .....	10				1	3	6
5. Boilers and tanks.....	13					7	6
<b>All Blast Furnaces, Steel Works and Rolling Mills</b>	<b>982</b>	<b>14</b>		<b>42</b>	<b>86</b>	<b>197</b>	<b>643</b>
j. Machinery (not forging or woodwork):							
1. Sheet metal products .....	37			10	6	14	7
2. Wire and wire products .....	21			7	2	9	3
<b>All Machinery (not forging or woodwork)</b> .....	<b>58</b>			<b>17</b>	<b>8</b>	<b>23</b>	<b>10</b>
k. Vehicles:							
1. Wagons, carriages and parts .....	9		1			5	3
2. Railroad cars and parts .....	48	1		7	4	20	16
<b>All Vehicles</b> .....	<b>57</b>	<b>1</b>	<b>1</b>	<b>7</b>	<b>4</b>	<b>25</b>	<b>19</b>
l. Clay Products:							
1. Brick, tile and terracotta .....	52	2		7		24	19
m. Stone Products:							
1. Cement products .....	68			1		36	31
n. Chemicals:							
1. Explosives .....	3	2				1	
2. Oil, tar by-products and fertilizers..	59	4		6		40	9
<b>All Chemicals</b> .....	<b>62</b>	<b>6</b>		<b>6</b>		<b>41</b>	<b>9</b>
<b>All Manufacturing</b> .....	<b>1,955</b>	<b>30</b>	<b>1</b>	<b>167</b>	<b>181</b>	<b>644</b>	<b>932</b>
<b>V. Construction:</b>							
a. Construction (not building erection):							
1. Street and highway construction.....	37			1	5	19	12
2. Railroad construction .....	5					2	3
3. Bridge construction .....	4						4
4. Dam construction.....	118	4	1	2	31	45	35

INDUSTRY	Totals	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
All Construction (not building erection) .....	164	4	1	3	36	66	54
b. Building erection and Demolition: .....	124	5		8	9	68	34
c. Shipbuilding, Wood, Steel and Concrete.....	52	2		3	12	21	14
All Construction .....	340	11	1	14	57	155	102
VI. Transportation and Public Utilities:							
a. Water transportation:							
1. Steamers and tug-boats .....	5					5	
2. Stevedoring .....	527			3	121	374	29
b. Steam and Electric Railroads:							
1. Steam Railroads .....	180	1		13	24	92	50
c. Cartage and Trucking .....	73				40	20	13
d. Utilities, Public .....	101	4		7	10	40	40
All Transportation and Public Utilities .....	886	5		23	195	531	132
VII. Trade:							
a. Stores:							
1. Wholesale .....	17					13	4
2. Retail .....	74			1	1	48	24
3. Warehouses .....	7				1	4	2
All Trade .....	98			1	2	65	30
VIII. Clerical and Professional Service:							
a. Professional employments .....	4	1				3	
b. Theatres .....	5					3	2
c. Hotels and hospitals.....	5			1		3	1
d. Educational institutions .....	3			1		2	
All Clerical and Professional Service .....	17	1		2		11	3
Grand total .....	5,769	231	4	358	782	2,450	1,944



Table No. 3—Causes of Compensable Accidents, by Extent of Disability and Time Lost. Calendar Year 1920

NOTE—For weighting time loss of deaths, permanent totals, and permanent partial injuries the comparative table published on p. 18, Bul. 276 (Bureau Labor Statistics) has been used. "Days lost" in work days.

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES						
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Over 8 Wk.			4 to 8 Wks.   2 to 4 Wks.			
									Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	
I. Prime Movers and Power Transmission Machinery:															
a. Motors and dynamos.....	2	51												1	21
b. Shafting .....	28	31,244	5	30,000			2	600			172	243	12	12	229
c. Set screws .....	12	450									165	97	3	8	188
d. Belts and pulleys.....	50	9,872					6	8,505			513	420	12	24	434
e. Chains and sprockets.....	41	3,155					4	1,800			621	376	11	20	358
f. Ropes, cables, and drum.....	36	2,310					2	1,050			480	596	17	10	184
g. Cogs, cams, and gears.....	129	43,465					57	40,650			1,344	700	14	41	771
All Prime Movers.....	298	90,547	5	30,000			71	52,605			3,295	2,462	65	116	2,185
II. Power Working Machinery, N. O. C.:															
a. Brick making .....	2	352					1	300			52				
b. Cement making .....	1	300					1	300							
c. Mining' machinery .....	42	4,465					5	3,150			547	472	14	16	296
All Power Working.....	45	5,117					7	3,750			599	472	14	16	296
III. Metal Working Machinery:															
a. Abrasive wheels .....	1	13												1	13
b. Cutting, threading .....	2	316					1	300						1	16

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES								
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Over 8 Wk.			4 to 8 Wks.			2 to 4 Wks.		
									Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases
c. Drills	6	120												1	36	5	84
d. Hammers and forging	2	1,230												1	30		
e. Lathes and auto. screws	4	959												1	42	1	17
f. Planers and shapers	2	600															
g. Presses, punches, etc.	5	124															
h. Presses, foot or hand	7	434															
i. Shears	35	4,408															
All Metal Working	64	8,204															
IV. Wood Working Machinery:																	
a. Lathes	2	96															
b. Planing	4	85															
c. Small saws	100	23,969															
d. Lumber saws	158	45,690															
e. Gin saws	3	6,057															
f. Shapers	1	24															
g. Veneering	3	339															
h. Veneer cutting	2	600															
All Wood Working	273	76,860															
V. Leather and Paper Making Machinery:																	
a. Tanning	1	21															
b. Bag and envelope	3	351															
All Leather, Etc.	4	372															



<b>VI. Textile and Laundry Machinery:</b>													
a. Washers and dryers.....	2	383					1	300	1	83			22
b. Spinning .....	1	22										1	57
c. Weaving .....	1	57											
d. Sewing .....	1	25							1		25		
e. Twine making .....	4	378					1	300			36	2	42
f. Laundry machines .....	6	436					1	300	1	48	60	2	28
<b>All Textile and Laundry.....</b>	<b>15</b>	<b>1,301</b>					<b>3</b>	<b>900</b>	<b>2</b>	<b>131</b>	<b>121</b>	<b>6</b>	<b>149</b>
<b>VII. Food and Chemical Machinery:</b>													
a. Mixing .....	10	946					2	600	2	179	136	2	31
b. Bagging, packing, etc.....	2	63									39	1	24
c. Bottling .....	2	315					1	300				1	15
<b>All Food and Chemical.....</b>	<b>14</b>	<b>1,324</b>					<b>3</b>	<b>900</b>	<b>2</b>	<b>179</b>	<b>175</b>	<b>4</b>	<b>70</b>
<b>VIII. Hoisting Apparatus:</b>													
a. Elevators, controlled .....	11	6,399	1	6,000					2	182	130	5	87
b. Elevators, automatic .....	21	1,480					1	300	6	811	235	8	134
c. Mine cages and skips.....	4	14,424	2	12,000			1	2,400			24		
d. Cranes, locomotive .....	27	32,017	5	30,000			3	1,200	6	453	280	5	84
e. Cranes, other traveling.....	4	360					1	300				3	60
f. Derricks and jib cranes.....	20	6,768	1	6,000			1	300	1	50	213	11	205
g. Log loaders .....	1	64							1	64			
h. Blocks, tackles, windlass.....	5	278							2	170	84	1	24
i. Conveyors .....	1	48									48		
j. Air hoists .....	1	6,000	1	6,000									
k. Belt and chain conveyors.....	8	4,797					1	4,500	3	172	83	2	42
l. Bucket conveyors .....	1	18										1	18
<b>All Hoisting Apparatus.....</b>	<b>104</b>	<b>72,653</b>	<b>10</b>	<b>60,000</b>			<b>8</b>	<b>9,000</b>	<b>21</b>	<b>1,902</b>	<b>1,097</b>	<b>36</b>	<b>654</b>
<b>IX. Miscellaneous Machinery:</b>													
a. Rock drilling .....	7	225							2	112	63	3	50
b. Road rollers .....	1	50							1	50			

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Cases	Number	Cases	Number	Cases	Number	Cases	Number	Cases	Number	Cases	Number	Cases
c. Ditchers and shovels.....	1	24											1	24
d. Pumps .....	7	6,974	1	6,000			3	900			2	56	1	18
e. Fans and blowers.....	1	22											1	22
All Miscellaneous Machinery.....	17	7,295	1	6,000			3	900			4	119	6	114
All Mechanical Causes.....	834	263,673	17	102,000			212	139,795	110	9,337	176	6,593	319	5,948
X. Vehicles:														
a. Steam and Electric cars, engines, and motors:	23	37,055	6	36,000			1	300	3	298	10	328	3	129
1. Collisions .....														
2. Derailments .....	117	39,043	5	30,000			4	6,450	6	457	17	475	85	1,661
3. Falls from .....	96	118,188	14	84,000	1	6,000	9	25,650	8	1,173	5	173	59	1,192
4. Struck by or run over .....	25	13,163	1	6,000	1	6,000	1	300	5	479	5	154	12	230
5. Coupling or uncoupling .....	8	192											8	192
6. Braking .....	30	630											30	630
7. Objects falling from .....	9	247											9	247
8. Objects shifting on .....														
All Steam and Electric Cars.....	308	208,518	26	156,000	2	12,000	15	32,700	22	2,407	37	1,130	206	4,281
b. Mine & Quarry Cars & Motors:														
1. Collisions .....	76	22,302	2	12,000			5	7,800	10	1,128	12	504	47	870
2. Derailments .....	29	580											29	580
3. Falls from .....	35	8,294	1	6,000			2	649	7	1,007	11	374	14	264



[illegible]

[illegible]



8. Electrocutions	14	84,000	14	84,000											
9. All other flames	1	26										1	26		
10. Flying sparks	31	944								4	258	14	436	13	250
11. Escaping steam	29	829								2	185	10	329	17	315
All Scalds, Burns, and Electro-															
cutions	526	119,214	15	90,000	1	6,000	12	11,400	31	2,039	101	4,068	366	5,707	
c. Poisonous and Corrosive Sub-															
stances:															
1. Acids	3	66													
2. Illuminating gas	2	6,046	1	6,000							1	24	2	42	
											1	46			
All Acids	5	6,112	1	6,000							2	70	2	42	
XII. Falls of Persons:															
a. From Elevations:															
1. Benches, boxes, etc.	1	90							1	90					18
2. Bridges, docks, gangways	2	53													
3. Buildings	20	12,604	2	12,000									35	1	131
4. Temporary floors	8	6,241	1	6,000					3	171	8	302	7	2	41
5. Ladders	36	7,663	1	6,000					1	72	4	128	2	10	145
6. Machines and boilers	11	8,738	1	6,000					11	769	13	449	10	4	82
7. Piles of material	13	554							4	228	1	28	4	5	85
8. Poles and trees	12	6,482	1	6,000					4	295	5	174	4	2	38
9. Runways and balconies	2	176							3	264	6	180	2	1	14
10. Scaffolds	67	18,556	2	12,000					1	162				18	337
11. Stairs	6	230							17	1,497	27	902	2	2	34
12. Tramways and trestles	4	157							1	89	3	107	2	2	44
13. Due to slipping tool	2	29							1	77	1	36	2	2	29
All Falls from Elevations	184	61,573	8	48,000			5	6,520	47	3,714	69	2,341	55	998	
b. Into Excavations:															
1. Bins and vats	27	1,333							4	610	10	352	13	371	
2. Manholes	13	421							2	122	7	239	4	60	
3. Excavations, n. o. c.	1	24									1	24			
All Into Excavations	41	1,778							6	732	18	615	17	431	

CAUSE	Total		Deaths		Permanent Totals		Permanent Partials		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost
c. On the Level:														
1. Slipping .....	12	322							1	92	3	98	8	132
2. Stumbling .....	211	27,686	2	12,000		6	7,800	35	3,298	50	2,400	118	2,188	
	223	28,007	2	12,000		6	7,800	36	3,390	53	2,498	126	2,320	
All on the Level.....														
XIII. Stepping on or Striking														
Against Objects:														
a. Stepping on:														
1. Nails or screws.....	46	1,058						2	182	7	222	37	654	
2. Other objects .....	4	97								1	41	3	56	
3. Striking against nails.....	15	541						4	314	2	61	9	166	
4. Slivers and sharp objects.....	5	132								3	96	2	36	
5. Struck by swinging or moving object .....	125	32,906	4	24,000		5	3,750	19	2,823	40	1,282	57	1,051	
	195	34,734	4	24,000		5	3,750	25	3,319	53	1,702	108	1,963	
All Stepping On.....														
XIV. Falling Objects:														
a. Breaking or collapse:														
1. Buildings, walls, piles, or stacks of material.....	28	28,121	4	24,000		2	3,300	6	406	9	278	7	137	
2. Scaffolding, stagings, chutes, conveyors, etc. ....	17	2,476				2	1,740	3	378	7	264	5	94	
	45	30,597	4	24,000		4	5,040	9	784	16	542	12	231	
All Breaking or Collapse.....														
b. From Elevations:														
1. Buildings .....	17	744						4	366	9	304	4	74	



2. Chutes, conveyors, etc.....	10	6,570	1	6,000	.....	.....	1	300	2	117	3	102	3	51
3. Machines and benches.....	14	427	.....	.....	.....	.....	.....	.....	3	160	4	132	7	135
4. Tramways and trestles.....	1	6,000	1	6,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
5. Racks with shelves.....	3	82	.....	.....	.....	.....	.....	2,400	.....	.....	2	64	1	18
6. Runways and platforms.....	1	2,400	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7. Scaffolds and stagings.....	5	6,402	1	6,000	.....	.....	.....	300	1	51	1	30	1	21
<b>All From Elevations.....</b>	51	22,625	3	18,000	.....	.....	.....	3,000	10	694	19	632	16	299
<b>c. Into Excavations:</b>	2	6,016	.....	.....	1	6,000	.....	.....	.....	.....	.....	.....	1	16
<b>d. In Mines and Quarries, Inside:</b>	303	166,865	23	138,000	1	6,000	.....	13,475	37	2,775	71	3,621	159	2,994
1. Roof in working faces.....	51	7,742	1	6,000	.....	.....	.....	300	3	228	22	781	24	433
2. Roofs, in entries.....	1	300	.....	.....	.....	.....	.....	300	.....	.....	.....	.....	.....	.....
3. Surface into shaft.....	1	48	.....	.....	.....	.....	.....	.....	.....	.....	1	48	.....	.....
4. From cage into shaft.....	15	6,886	1	6,000	.....	.....	.....	.....	6	641	4	163	4	82
5. Cave-in of mine.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>All In Mines and Quarries.....</b>	371	181,841	25	150,000	1	6,000	.....	14,075	46	3,644	98	4,613	187	3,509
<b>e. Other Falling Objects:</b>	89	38,823	4	24,000	.....	.....	.....	12,225	17	1,288	33	1,054	30	256
1. Poles and rolling logs.....	42	43,704	7	42,000	.....	.....	.....	.....	12	1,087	10	392	13	225
2. Trees and limbs.....	10	282	.....	.....	.....	.....	.....	.....	1	78	2	67	7	137
3. Objects tipping over.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>All Other Falling Objects.....</b>	141	82,809	11	66,000	.....	.....	.....	12,225	30	2,543	45	1,513	50	618
<b>XV. Handling of Objects:</b>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>a. Heavy Objects:</b>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1. Dropped.....	327	13,866	.....	.....	.....	.....	.....	5,100	35	2,376	84	2,940	191	3,450
2. Tipped over.....	130	11,709	1	6,000	.....	.....	.....	900	31	2,373	42	1,420	54	1,016
3. Thrown.....	2	51	.....	.....	.....	.....	.....	.....	.....	.....	1	40	1	11
4. Falling from load.....	203	10,122	.....	.....	.....	.....	.....	4,050	21	1,787	72	2,380	104	1,905
5. Falling from pile.....	114	4,596	.....	.....	.....	.....	.....	1,500	9	622	43	1,384	60	1,090
6. Caught between and other object.....	510	35,326	.....	.....	.....	.....	.....	21,702	53	4,233	136	4,401	269	4,990
7. Strained in handling.....	110	8,683	1	6,000	.....	.....	.....	.....	19	456	37	1,271	53	956
<b>All Heavy Objects.....</b>	1,396	84,353	2	12,000	.....	.....	.....	33,252	168	11,847	415	13,836	732	13,418

CAUSE	Total		Deaths		Permanent Totals		Permanent Partials		TEMPORARY DISABILITIES					
									Over 8 Wks.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost
<b>b. Sharp or Rough Object (not Tools):</b>														
1. Glass .....	10	540					1	300	1	42	6	160	2	38
2. Protruding wires .....	28	5,696					10	5,320	10	5,320	3	124	15	252
3. Sheet metal .....	2	36											2	36
4. Slivers, wood .....	12	578					1	300	1	64	4	117	6	97
5. Slivers, metal .....	34	1,311					2	600	1	71	7	219	24	421
6. Castings .....	1	18											1	18
7. Ropes .....	1	300					1	300						
<b>All Sharp or Rough Objects.....</b>	<b>88</b>	<b>8,479</b>					<b>5</b>	<b>1,500</b>	<b>13</b>	<b>5,497</b>	<b>20</b>	<b>620</b>	<b>50</b>	<b>862</b>
<b>c. Hand trucks, carts and wheelbarrows:</b>														
1. Struck in injured's hands.....	10	266									6	190	4	76
2. Struck by in hands of co-worker .....	12	294									5	154	7	140
3. Caught between and other object .....	5	137									3	103	2	34
4. Objects falling from.....	22	1,037					1	300	1	108	9	343	11	286
5. Overturning .....	7	270							2	148	1	48	4	74
<b>All Hand Trucks etc. ....</b>	<b>56</b>	<b>2,004</b>					<b>1</b>	<b>300</b>	<b>3</b>	<b>255</b>	<b>24</b>	<b>838</b>	<b>28</b>	<b>610</b>
<b>XVI. Hand Tools:</b>														
<b>a. In Hands of Injured:</b>														
1. Glancing or slipping .....	220	35,201	4	24,000			11	5,500	14	1,309	68	2,161	123	2,231
2. Breaking .....	36	4,918					3	3,900	2	187	18	580	13	251



WORKMEN'S COMPENSATION COMMISSIONER

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[illegible]

Table No. 3-a.—Causes of Compensable Accidents, by Extent of Disability and Time Lost. Calendar Year 1921.

NOTE—For weighting time loss of deaths, permanent totals, and permanent partial injuries the comparative table published on p. 18, Bul. 276 (Bureau Labor Statistics) has been used. "Days lost" in work days.

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost
I. Prime Movers and Power Transmission Machinery:														
a. Motors and dynamos.....	2	63												
b. Shafting .....	38	45,689	6	36,000			3	2,700						21
c. Set screws .....	16	36,387	2	12,000	1	6,000			2	188	1	42	13	260
d. Belts and pulleys.....	45	37,377	3	18,000	4	24,000			2	222	1	28	7	137
e. Chains and sprockets.....	55	13,158	1	6,000	3	18,000			5	382	17	658	17	337
f. Ropes, cables, and drums.....	58	15,749					11	5,700	7	464	16	606	20	388
g. Cogs, cams, and gears.....	148	44,577					17	13,850	11	980	19	686	11	233
							58	40,260	16	1,854	40	1,667	34	796
All Prime Movers.....	362	193,000	12	72,000	8	48,000	89	62,510	43	4,090	107	4,228	103	2,172
II. Power Working Machinery, N. O. C.:														
a. Cement making .....	1	14											1	14
b. Mining machinery .....	27	25,144	2	12,000	1	6,000	7	6,100	7	768	5	176	5	100
All Power Working Machinery.....	28	25,158	2	12,000	1	6,000	7	6,100	7	768	5	176	6	114
III. Metal Working Machinery:														
a. Cutting and threading.....	1	42												
b. Hammers and forging.....	2	6,042	1	6,000										
c. Planers and shapers.....	2	317					1	300					1	17



d. Presses, foot or hand.....	2	58																1	37	1	21
e. Shears .....	13	1,502							4	1,200								4	188	5	114
All Metal Working Machinery.....	20	7,961	1	6,000					5	1,500								7	309	7	152
IV. Wood Working Machinery;																					
a. Lathes .....	1	600							1	600											
b. Planing .....	17	1,725							3	1,200								8	274	3	47
c. Small saws .....	16	488																5	195	10	224
d. Lumber saws .....	134	63,079	6	36,000					35	23,850	18							50	1,634	25	543
e. Veneering .....	14	5,586							6	5,200	2							3	116	3	75
f. Veneer cutting .....	41	13,607	1	6,000					9	6,900	15							9	466	7	147
All Wood Work Machinery.....	223	85,085	7	42,000					54	67,750	39							75	2,685	48	1,036
V. Leather and Paper Making Machinery:																					
a. Printing presses .....	12	3,967							5	3,750								4	148	3	69
VI. Textile and Laundry Machinery:																					
a. Washers and dryers.....	3	79																1	36	2	43
b. Carding and combing.....	3	97																1	48	2	49
c. Spinning .....	12	1,214							2	900								5	194	5	120
d. Weaving .....	17	750							1	300	2							3	104	11	234
e. Cutting .....	1	31																1	31		
f. Sewing .....	2	124									1							1	27		
g. Twine making .....	5	254									1							2	110	2	47
h. Laundry machines .....	2	54																1	35	1	19
All Textile and Laundry.....	45	2,603							3	1,200	4							15	585	23	512
VII. Food and Chemical Machinery:																					
a. Mixing .....	6	6,796	1	6,000					1	600	1							2	88	1	24
b. Bagging, packing, etc.....	2	67																1	49	1	18
c. Cutting .....	3	1,232							2	1,200										1	32
All Food and Chemical.....	11	8,095	1	6,000					3	1,800	1							3	137	3	74

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES							
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Over 8 Wk.			2 to 4 Wks.				
									Number	Cases	Days	Number	Cases	Days	Number	Cases
VIII. Hoisting Apparatus:																
a. Elevators, controlled	17	4,183					6	3,600	5	342	5	220	1	21		
b. Elevators, automatic	1	15											1	15		
c. Mine cages and skips	2	6,042	1	6,000							1	42				
d. Cranes, locomotive	8	4,500					8	4,500								
e. Cranes, other traveling	15	3,691					5	3,200	4	314	3	118		3	59	
f. Derricks and jibs	1	2,000					1	2,000								
g. Blocks, tackles, etc.	1	214							1	214						
h. Conveyors	10	1,193					1	600	4	432	3	127		2	34	
i. Belt and chain conveyors	2	336					1	300			1	36				
All Hoisting Apparatus	57	22,174	1	6,000			12	14,200	14	1,302	13	543	7	129		
IX. Miscellaneous Machinery:																
a. Fans and blowers	33	1,097									30	1,033	3	64		
X. VEHICLES:																
a. Steam and electric cars, engines, and motors:																
1. Collisions	3	477					1	300	1	157			1	20		
2. Derailments	15	11,255	1	6,000			2	4,950			6	189	6	116		
3. Falls from	38	72,673	9	54,000			6	18,000			11	495	12	178		
4. Struck by or run over	32	99,677	14	84,000			7	15,300			5	253	6	124		
5. Coupling or uncoupling	9	1,041					1	600			2	193	1	25		
6. Braking	6	2,249					1	1,500			3	706	2	43		
7. Objects falling from	20	957					1	300	2	249	5	173	12	235		
All Steam and Electric cars, engines, and motors	123	188,329	24	144,000			19	40,950	5	599	35	2,039	40	741		



**b. Mine and Quarry Cars:**

1. Collisions .....	16	37,664	6	36,000	.....	.....	.....	.....	3	1,400	.....	.....	6	244	1	20
2. Derailments .....	72	20,564	2	12,000	.....	.....	.....	.....	4	5,100	32	2,400	15	553	19	511
3. Falls from .....	24	65,457	10	60,000	.....	.....	.....	.....	2	5,100	.....	.....	4	178	8	179
4. Riding on, contact with roof or sides.....	72	19,845	1	6,000	.....	.....	.....	.....	14	8,402	2	1,997	6	2,357	49	1,089
5. Coupling or switching.....	101	39,145	3	18,000	.....	.....	.....	.....	12	18,800	.....	.....	47	1,733	39	612
6. Struck by or run over.....	21	1,258	.....	.....	.....	.....	.....	.....	1	300	.....	.....	13	550	7	408
7. Braking .....	43	8,433	1	6,000	.....	.....	.....	.....	3	900	6	606	17	577	16	350
8. Dumping .....	3	108	.....	.....	.....	.....	.....	.....	.....	.....	1	62	.....	.....	2	46
9. Getting on or off.....	10	4,829	.....	.....	.....	.....	.....	.....	1	4,500	1	74	5	184	3	71
<b>All Mine and Quarry.....</b>	<b>362</b>	<b>197,303</b>	<b>23</b>	<b>138,000</b>	.....	.....	.....	.....	<b>40</b>	<b>44,502</b>	<b>42</b>	<b>5,139</b>	<b>113</b>	<b>6,376</b>	<b>144</b>	<b>3,286</b>

**c. Plant Trucks:**

1. Collisions .....	1	33	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	33	.....	.....
2. Derailments .....	1	43	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	43	.....	.....
3. Falls from .....	10	515	.....	.....	.....	.....	.....	.....	.....	.....	4	320	4	158	2	37
4. Riding on .....	1	23	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	23
5. Struck by .....	16	1,581	.....	.....	.....	.....	.....	.....	2	900	3	365	5	176	6	140
6. Getting on or off.....	2	54	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	35	1	19
7. Objects falling from.....	13	419	.....	.....	.....	.....	.....	.....	.....	.....	1	78	6	209	6	132
<b>All Plant Trucks.....</b>	<b>44</b>	<b>2,668</b>	.....	.....	.....	.....	.....	.....	<b>2</b>	<b>900</b>	<b>8</b>	<b>763</b>	<b>18</b>	<b>654</b>	<b>16</b>	<b>351</b>

**d. Autos—Power Vehicles:**

1. Collisions .....	33	2,800	.....	.....	.....	.....	.....	.....	1	1,800	.....	.....	26	874	6	126
2. Overturning .....	4	344	.....	.....	.....	.....	.....	.....	.....	.....	1	217	3	127	.....	.....
3. Cranking .....	34	2,741	.....	.....	.....	.....	.....	.....	2	1,500	5	333	18	715	9	193
4. Falls from .....	6	950	.....	.....	.....	.....	.....	.....	1	750	.....	.....	5	200	.....	.....
5. Struck by or run over.....	14	18,422	3	18,000	.....	.....	.....	.....	.....	.....	2	142	7	247	2	33
6. Objects falling from.....	1	17	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	17
7. Objects shifting on load.....	1	17	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	17
<b>All Automobiles, etc.....</b>	<b>93</b>	<b>25,291</b>	<b>3</b>	<b>18,000</b>	.....	.....	.....	.....	<b>4</b>	<b>4,050</b>	<b>8</b>	<b>692</b>	<b>59</b>	<b>2,163</b>	<b>19</b>	<b>386</b>

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost
e. Animal Drawn (not Mine or Quarry):														
1. Collisions	1	92							1	92				
2. Falls from	2	171							2	171				
3. Struck or run over by	29	1,104							5	279	17	676	7	149
4. Objects falling from	9	444							3	228	3	158	3	58
All Animal Drawn, etc.	41	1,929							11	770	20	834	10	325
f. Water Craft:														
1. Falls from	1	51									1	51		
XI. Explosions, Burns, Poisons:														
a. Explosions:														
1. Dust Explosions	5	6,075	1	6,000									4	75
2. Steam pipes and valves	15	7,221	1	6,000					3	244	9	356	1	21
3. Blasting	53	56,074	7	42,000					11	1,039	10	412	20	423
4. Gas	29	33,006	5	30,000					9	828	5	227	8	151
5. Gasoline, etc.	12	6,689			1	6,000			3	458	2	87	6	144
All Explosions, etc.	114	109,065	14	84,000	1	6,000			26	2,569	26	1,082	39	814
b. Scalds and Burns:														
1. Fires	5	172							1	77	1	33	3	62
2. Tar	11	622							3	395	5	160	3	67
3. Hot Water	15	446							2	144	4	121	9	181
4. Other Hot Liquids	13	496							2	204	4	146	7	146
5. Molten Metal	82	6,891							15	1,303	29	1,117	33	721
6. Hot Metal	113	9,451							21	1,728	36	1,342	49	881



7. Electricity (not shock).....	31	5,299	.....	.....	.....	.....	.....	.....	1	4,500	.....	.....	14	535	16	264
8. All other hot objects.....	5	149	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	32	3	66
9. All other flames.....	2	88	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	16
10. Flying Sparks .....	24	1,011	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	10	394	9	189
11. Escaping Steam .....	20	740	.....	.....	.....	.....	.....	.....	3	202	.....	.....	7	257	9	191
All Scalds, Burns, etc.....	321	25,365	.....	.....	.....	.....	.....	.....	16	13,952	52	4,492	111	4,137	142	2,784
c. Poisonous and Corrosive Substances:																
1. Herbs .....	1	22	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	22
2. Charcoal gas .....	1	33	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	33
3. Acids .....	6	174	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	84	4	90
4. Lime .....	4	4,247	.....	.....	.....	.....	.....	.....	2	4,200	.....	.....	1	29	1	18
5. Cement .....	5	176	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	176
6. Salsoda .....	1	18	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	18
All Poisonous Substances.....	18	4,670	.....	.....	.....	.....	.....	.....	2	4,200	.....	.....	3	113	13	357
XII. Falls of Persons:																
a. From Elevations:																
1. Benches, boxes, etc.....	7	1,701	.....	.....	.....	.....	.....	.....	1	1,500	.....	.....	4	158	2	43
2. Bridges, docks, etc.....	6	203	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	155	2	48
3. Buildings .....	2	45	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	45
4. Temporary floors .....	8	6,220	1	6,000	.....	.....	.....	.....	.....	.....	.....	.....	2	96	5	124
5. Ladders .....	24	1,366	.....	.....	.....	.....	.....	.....	.....	.....	5	698	13	526	6	142
6. Machines and boilers.....	16	492	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	10	359	6	133
7. Piles of material.....	2	118	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	34	.....	.....
8. Poles and trees.....	14	5,779	.....	.....	.....	.....	.....	.....	2	5,100	1	84	4	162	3	64
9. Roofs .....	1	37	.....	.....	.....	.....	.....	.....	.....	.....	5	453	.....	.....	1	37
10. Runways and balconies.....	15	781	.....	.....	.....	.....	.....	.....	.....	.....	7	557	4	141	4	83
11. Scaffolds .....	24	6,995	.....	.....	.....	.....	.....	.....	3	5,525	8	954	3	101	6	115
12. Stairs .....	18	1,334	.....	.....	.....	.....	.....	.....	1	900	.....	.....	4	156	13	278
13. Due to slipping tool.....	1	84	.....	.....	.....	.....	.....	.....	.....	.....	1	84	.....	.....	.....	.....
All Falls from Elevations.....	134	24,855	1	6,000	.....	.....	.....	.....	7	13,025	27	2,830	50	1,925	49	1,075

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost
<b>b. Into Excavations:</b>														
1. Bins and vats .....	3	93											1	43
2. Manholes .....	26	4,164					2	3,300	2	220			13	283
3. Floor openings .....	2	35											2	35
<b>All Into Excavations.....</b>	<b>31</b>	<b>4,292</b>					<b>2</b>	<b>3,300</b>	<b>2</b>	<b>220</b>	<b>10</b>	<b>411</b>	<b>17</b>	<b>361</b>
<b>c. On the Level:</b>														
1. Slipping .....	120	11,787			1	6,000	5	3,150			55	1,699	59	938
2. Stumbling .....	65	2,461							10	818	31	1,184	24	459
3. Foot getting caught.....	6	320							2	173	4	147		
<b>All on the Level.....</b>	<b>191</b>	<b>14,568</b>			<b>1</b>	<b>6,000</b>	<b>5</b>	<b>3,150</b>	<b>12</b>	<b>991</b>	<b>90</b>	<b>3,030</b>	<b>83</b>	<b>1,397</b>
<b>XIII. Stepping on, Striking against Objects:</b>														
<b>a. Stepping on:</b>														
1. Nails or screws.....	41	1,294							3	238	19	666	19	390
2. Other objects .....	1	21											1	21
3. Striking against nails.....	2	44											2	44
4. Slivers and sharp objects.....	18	13,162	2	12,000			1	600	3	214	5	180	7	168
5. Struck by swinging or moving object .....	77	21,741	1	6,000	1	6,000	9	7,350	8	667	30	1,124	28	600
<b>All Stepping On.....</b>	<b>139</b>	<b>36,262</b>	<b>3</b>	<b>18,000</b>	<b>1</b>	<b>6,000</b>	<b>10</b>	<b>7,950</b>	<b>14</b>	<b>1,119</b>	<b>54</b>	<b>1,970</b>	<b>57</b>	<b>1,223</b>



<b>XIV. Falling Objects:</b>													
<b>a. Breaking or Collapse:</b>													
1. Buildings or walls.....	8	366							1	99	7	267	
2. Piles or stacks of mat.....	37	1,139							2	126	18	689	324
3. Scaffolds and stagings.....	30	2,505						4	1,500	317	13	500	188
4. Chutes and conveyors.....	17	831							5	490	6	218	123
<b>All Breaking or Collapse.....</b>	<b>92</b>	<b>4,841</b>						<b>4</b>	<b>1,500</b>	<b>1,032</b>	<b>44</b>	<b>1,674</b>	<b>635</b>
<b>b. From Elevations:</b>													
1. Buildings.....	2	120							1	98			22
2. Chutes, conveyors, etc.....	13	571							3	225	6	269	77
3. Piles and stacks of material.....	6	693						1	600				93
4. Machines and benches.....	50	20,090	3	18,000				1	300	732	21	826	232
5. Tramways and trestles.....	3	100									2	72	28
6. Racks and Shelves.....	12	406							1	59	6	251	96
7. Runways and platforms.....	8	466									3	99	65
8. Scaffolds and stagings.....	22	1,572						1	750	291	10	343	188
9. Temporary Flooring.....	4	225								169	1	35	21
<b>All From Elevations.....</b>	<b>120</b>	<b>24,243</b>	<b>3</b>	<b>18,000</b>				<b>3</b>	<b>1,650</b>	<b>1,807</b>	<b>50</b>	<b>1,964</b>	<b>822</b>
<b>c. Into Excavations:</b>													
1. Fall of coal or ore.....	12	435							1	82	7	255	98
2. Working face.....	55	7,938	1	6,000					4	297	30	1,180	461
3. Roof.....	144	18,678	2	12,000				2	1,500	2,530	52	1,598	1,050
4. Walls.....	31	20,058	3	18,000					13	1,662	5	192	204
5. Surface into shaft.....	2	6,028	1	6,000									28
6. Bins.....	1	28											28
7. Falls of timber.....	6	361							1	235	1	39	87
8. Cave-ins.....	8	12,164	2	12,000					1	233	4	168	65
<b>All Into Excavations.....</b>	<b>259</b>	<b>65,690</b>	<b>8</b>	<b>48,000</b>	<b>1</b>	<b>6,000</b>		<b>2</b>	<b>1,500</b>	<b>4,806</b>	<b>98</b>	<b>3,363</b>	<b>2,021</b>
<b>d. In Mines and Quarries:</b>													
1. At working face.....	49	4,092						1	1,800	1,080	21	832	380
2. Roof in working places.....	70	55,232	7	42,000				4	10,800	1,183	23	833	416





2. Protruding nails .....	4	94										1	38	3	56
3. Protruding wires .....	15	4,032										6	266	7	166
4. Sheet metal .....	5	722										1	51	3	71
5. Slivers, wood .....	15	904										6	227	4	93
6. Slivers, metal .....	9	803										2	69	6	134
7. Ropes .....	2	642										1	42		
<b>All Sharp or Rough Objects (not tools)</b> .....	59	7,517										22	908	27	625
<b>c. Hand Trucks, Carts, and Wheelbarrows:</b>															
1. Struck by in hands of injured .....	3	424													
2. Struck by in hands of co-worker .....	8	501										4	174		
3. Objects falling from .....	1	39										1	39		
4. Overturning .....	1	32										1	32		
<b>All Hands Trucks, etc.</b> .....	13	996										6	245		
<b>XVI. Hand Tools:</b>															
<b>a. In Hands of Injured:</b>															
1. Glancing or slipping .....	203	10,488										87	2,860	82	1,614
2. Breaking .....	6	2,622										2	62	2	42
3. Flying objects, N. O. C. ....	4	216										1	42	1	22
4. Flying nails .....	6	4,016										3	116		
5. Flying metal chips .....	23	8,072										5	166	8	142
6. Flying stone chips .....	15	4,105										3	227	5	32
<b>All in Hands of Injured</b> .....	257	29,519										104	3,473	98	1,912
<b>b. In Hands of Co-Worker:</b>															
1. Glancing or slipping .....	50	2,947										18	712	25	489
2. Breaking .....	1	30										1	30		
3. Flying nails .....	3	111										3	111		
4. Flying metal chips .....	3	340												2	40
<b>All in Hands of Co-Worker</b> .....	57	3,428										22	853	27	529

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Over 8 Wks.		4 to 8 Wks.		2 to 4 Wks.	
									Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost
<b>XVII. Animals:</b>														
1. Kicked by or stepped on.....	13	895					1	300	2	188	10	407		
2. Bites .....	3	132									2	104	1	28
3. Runaways .....	12	2,067					3	1,800	1	57	2	70	6	140
4. Falls from .....	8	906					1	469	4	376	1	28	2	33
5. Other domestic animals.....	1	45									1	45		
<b>All Animals</b> .....	37	4,045					5	2,569	7	621	16	654	9	201
<b>XVIII. Miscellaneous:</b>														
a. Flying particles, N. O. C.....	23	8,894					6	8,310	3	186	8	270	6	128
b. Heat Prostration .....	7	12,209	2	12,000					1	73	2	99	2	37
c. Violence of co-worker .....	3	115									3	115		
d. Violence, N. O. C.....	7	18,164	3	18,000					1	64	2	84	1	16
e. Horseplay .....	3	400							2	361	1	39		
f. Compressed air (not explosion) .....														
g. Aeroplane accidents .....	6	2,251					1	2,000	1	86	4	165		
h. Occupational diseases .....	1	6,000	1	6,000										
i. Electrocution .....	4	539							3	493	1	46		
j. Gin saws .....	14	84,000	14	84,000										
	14	30,312	4	24,000			3	6,000	3	201	2	67	2	44
<b>All Miscellaneous</b> .....	82	162,884	24	144,000			10	16,310	14	1,464	23	885	11	225
<b>GRAND TOTAL</b> .....	4,299	1,473,962	144	864,000	14	84,000	414	376,593	638	57,084	1,587	61,072	1,502	31,213



Table No. 3-b.—Causes of Compensable Accidents, by Extent of Disability and Time Lost. Calendar Year 1922.

Note: For weighting of time loss of deaths, permanent totals, and permanent partial injuries the comparative table published on p. 18, Bul. 276 (Bureau Labor Statistics) has been used. "Days Lost" in work days.

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost	Number Cases	Days Lost
I. Prime Movers and Power Transmission Machinery:														
a. Steam and gas engines.....	7	1,113					2	600	2	412	2	77	1	24
b. Motors and dynamos.....	1	112							1	112				
c. Shafting.....	24	14,681	2	12,000			4	1,800	6	458	7	330	5	93
d. Set screws.....	10	9,802					3	9,600			4	146	3	56
e. Belts and pulleys.....	63	13,562	1	6,000			5	4,800	10	1,062	39	1,540	8	160
f. Chains and sprockets.....	51	7,577					6	5,500	11	1,151	12	439	22	487
g. Ropes, cables, drums.....	67	15,426	1	6,000			8	6,900	12	1,145	24	908	22	473
h. Cogs, cams, and gears.....	154	29,049					38	24,520	17	1,495	57	2,160	42	874
All Prime Movers.....	377	91,322	4	24,000			66	53,720	59	5,835	145	5,600	103	2,167
II. Power Working Machinery, N. O. C.:														
a. Stone making.....	1	6,000	1	6,000										
b. Mining machinery.....	38	2,195					3	900	5	422	16	584	14	289
All Power Working Machinery.....	39	8,195	1	6,000			3	900	5	422	16	584	14	289
III. Metal Working Machinery														
a. Cutting and threading.....	1	67							1	67				
b. Hammers and forging.....	1	600					1	600						

CAUSE	Total			Deaths			Permanent Totals			Permanent Partial			TEMPORARY DISABILITIES					
	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost
c. Lathes and automatic screws	5		538							1	300	147	3	91				
d. Presses, punches, and riveters	6		1,263							2	900	265	2	98				
e. Shears	40		7,220							12	6,000	474	15	616	7			130
All Metal Working Machinery	53		9,688							16	7,800	953	20	805	7			130
IV. Wood Working Machinery																		
a. Lathes	2		164							2		164		42				
b. Mortising	4		3,342							3	3,300		1					
c. Planing, matching, and molding	30		7,090							9	6,300	328	6	218	11			244
d. Presses and clamps	2		317							1	300				1			17
e. Small saws	9		503							1	300			92	6			111
f. Lumber saws	114		31,286	2	12,000					21	15,600	1,323	38	1,486	42			877
g. Veneering	4		105										2	65	2			40
h. Veneer cutting	2		91							1		56	1	35				
i. Cooperage	18		5,379							4	4,800	177	9	335	3			67
j. Shapers	1		56										1	56				
All Woodworking Machinery	186		48,333	2	12,000					39	30,600	2,048	60	2,329	65			1,356
V. Leather and Paper Making Machinery:																		
a. Printing presses	5		685							1	600			31	3			54
b. Book binding	1		32										1	32				
All Leather and Paper Making Machinery	6		717							1	600		2	63	3			54



<b>VI. Textile and Laundry Machinery:</b>							
a. Washers and dryers.....	1	21					1
b. Carding and combing.....	1	30					
c. Spinning .....	3	113					
d. Weaving .....	19	2,053					5
e. Twine making .....	1	21					1
f. Winders, doublers, etc.....	1	22					1
All Textile and Laundry Machinery.....	26	2,260					8
<b>VII Food and Chemical Machinery:</b>							
a. Mixing .....	7	1,334					
<b>VIII. Hoisting Apparatus:</b>							
a. Elevators, controlled .....	13	1,117					6
b. Elevators, sidewalk .....	4	123					1
c. Mine cages and skips.....	4	238					2
d. Cranes, locomotive .....	3	731					
e. Cranes, other traveling.....	5	122					
f. Blocks, tackles, and windlasses .....	14	2,310					3
g. Conveyors .....	4	430					
h. Belt and chain conveyors.....	23	14,922	1	6,000			7
All Hoisting Apparatus.....	70	19,993	1	6,000			22
<b>IX. Vehicles:</b>							
a. Steam and electric cars, engines, and motors:							
1. Collisions .....	3	133					
2. Derailments .....	14	12,468	2	12,000			1
3. Falls from .....	51	18,021	2	12,000			4
4. Struck by or run over.....	41	51,567	6	36,000			14
5. Coupling or uncoupling.....	23	10,647	1	6,000			11
6. Braking .....	2	123					9
112							21
209							75
918							291
528							231
317							183
42							

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost	Number	Days Lost
7. Objects falling from.....	28	7,268	1	6,000			1	300	3	239	5	190	18	539
8. Objects shifting on.....	1	21											1	21
All Steam and Electric.....	163	100,248	12	72,000			10	21,750	27	2,821	56	2,316	58	1,361
b. Mine and Quarry Cars:														
1. Collisions.....	3	132							1	63	2	69		
2. Derailments.....	121	17,202	2	12,000			1	150	18	2,143	51	1,931	49	978
3. Falls from.....	5	4,790					1	4,500	4	290				
4. Riding on contact, with roof or sides.....	143	41,931	5	30,000			5	6,600	16	1,739	64	2,490	53	1,102
5. Coupling or switching.....	98	7,106					10	3,350	20	1,758	37	1,339	31	659
6. Struck by or run over.....	232	111,641	13	78,000			20	25,300	31	2,994	115	4,224	53	1,123
All Mine and Quarry.....	602	182,802	20	120,000			37	39,900	90	8,987	269	10,053	186	3,862
c. Plant Trucks:														
1. Collisions.....	1	49							1	49				
2. Derailments.....	1	54							1	54				
3. Falls from.....	1	25											1	25
4. Struck by.....	22	2,428					3	1,800	1	60	13	469	5	99
5. Objects falling from.....	10	342							1	85	4	158	5	99
All Plant Trucks.....	35	2,898					3	1,800	4	248	17	627	11	223
d. Auto—Other Power Vehicles:														
1. Collisions.....	4	1,883					1	1,800			2	64	1	19
2. Overturning.....	7	223							4	166	3	57		
3. Cranking.....	32	1,236							1	140	21	879	10	217



4. Falls from .....	4	269								2	192	2	77			
5. Struck by or run over .....	14	717								4	360	8	318	2		39
All Autos, etc.....	61	4,328							1	1,800	858	36	1,395	13	275	
e. Animal Drawn (Not Mine or Quarry Cars):																
1. Overturning .....	6	157										3	102	3	55	
2. Falls from .....	26	6,982	1	6,000						3	237	16	612	6	133	
3. Struck by or run over .....	11	573								4	361	3	132	4	80	
4. Objects falling from .....	3	91										2	73	1	18	
All Animal Drawn .....	46	7,803	1	6,000						7	598	24	919	14	286	
f. Watercraft:																
1. Falls from .....	1	34										1	34			
g. All Other Vehicles:																
1. Bicycles .....	1	35										1	35			
ALL VEHICLES .....	909	298,148	33	198,000					51	65,250	13,512	404	15,379	282	6,007	
X. Explosions, Burns, and Poisons:																
a. Explosions:																
1. Steam boilers .....	6	13,852	2	12,000					2	1,800		1	35	1	17	
2. Steam pipes and valves .....	13	6,567	1	6,000								5	193	5	97	
3. Blasting .....	44	61,583	6	36,000	2	12,000			7	12,100	780	16	557	7	146	
4. Dust Explosion .....	95	558,111	93	558,000							84			1	27	
(1 Disaster, (Woodward) ).																
5. Gas .....	64	99,152	16	96,000								20	819	18	354	
6. Gasoline and allied products .....	11	427										5	199	5	116	
7. Compressed air .....	3	207										1	35	1	16	
All Explosions .....	236	739,899	118	708,000	2	12,000			9	13,900	3,388	48	1,838	38	773	
b. Scalds and Burns:																
1. Fires .....	20	1,695							1	1,000	174	10	372	7	149	
2. Hot water .....	22	6,708	1	6,000							177	10	326	9	205	

CAUSE	Total		Deaths		Permanent Totals		Permanent Partial		TEMPORARY DISABILITIES					
									Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost
3. Tar, pitch, and asphalt.....	16	550	.....	.....	.....	.....	.....	.....	1	86	8	317	7	147
4. Other hot liquids.....	11	1,251	.....	.....	.....	.....	.....	.....	1	56	7	261	2	34
5. Molten metal .....	209	18,618	.....	.....	.....	.....	.....	.....	22	1,858	99	3,532	84	1,828
6. Handling hot metal.....	191	6,514	.....	.....	.....	.....	.....	.....	10	710	103	3,840	77	1,664
7. Electric current (not shock)	40	6,076	.....	.....	.....	.....	.....	.....	4	371	14	479	20	426
8. All other flames.....	1	26	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	26
9. All other hot objects.....	10	311	.....	.....	.....	.....	.....	.....	2	132	2	64	6	115
10. Flying sparks .....	16	544	.....	.....	.....	.....	.....	.....	1	90	9	330	6	124
11. Escaping steam .....	20	6,597	.....	.....	.....	.....	.....	.....	1	75	9	330	9	192
All Scalds and Burns.....	556	48,890	.....	.....	.....	.....	.....	.....	46	3,729	271	9,850	228	4,910
c. Poisonous and Corrosive Substances:														
1. Acids .....	15	560	.....	.....	.....	.....	.....	.....	2	161	7	268	6	131
2. Lime .....	1	35	.....	.....	.....	.....	.....	.....	.....	.....	1	35	.....	.....
3. Cement .....	2	38	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	38
All Poisonous and Corros. Sub.....	18	633	.....	.....	.....	.....	.....	.....	2	161	8	303	8	169
All Explosions, burns, and poisons	810	789,422	121	726,000	2	12,000	17	26,301	69	7,278	327	11,991	274	5,852
XI. Falls of Persons:														
a. From Elevations:														
1. Buildings .....	13	18,629	3	18,000	.....	.....	.....	.....	3	435	4	137	3	57
2. Temporary Floors .....	8	397	.....	.....	.....	.....	.....	.....	.....	.....	6	354	2	43



3. Ladders .....	18	6,679	1	6,000	.....	.....	.....	3	203	11	414	3	62
4. Machines and boilers .....	6	6,162	1	6,000	.....	.....	.....	.....	.....	3	118	2	44
5. Poles and trees .....	8	1,351	.....	.....	.....	.....	1	750	4	525	49	2	37
6. Piles of material .....	6	425	.....	.....	.....	.....	.....	.....	2	311	91	1	23
7. Runways, balconies, plat- forms .....	23	1,495	.....	.....	.....	.....	1	750	2	156	382	10	207
8. Scaffolds .....	27	1,086	.....	.....	.....	.....	.....	.....	6	476	435	9	175
9. Stairs .....	7	2,186	.....	.....	.....	.....	1	2,000	.....	.....	138	2	48
10. Tramways and trestles .....	8	324	.....	.....	.....	.....	.....	.....	2	154	110	3	60
11. Windows & other openings .....	1	26	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	26
12. Fall due to slipping of tool .....	13	581	.....	.....	.....	.....	.....	.....	3	250	244	4	87
All From Elevations .....	138	39,351	5	30,000	.....	.....	3	3,500	25	2,510	2,472	42	869
b. Into Excavations:													
1. Bins and vats .....	10	1,078	.....	.....	.....	.....	1	750	2	141	72	5	115
2. Manholes .....	13	423	.....	.....	.....	.....	.....	.....	.....	.....	339	4	84
3. Excavations, N. O. C. ....	4	164	.....	.....	.....	.....	.....	.....	1	61	103	.....	.....
Into Excavations .....	27	1,665	.....	.....	.....	.....	1	750	3	202	514	9	199
c. On the Level:													
1. Slipping .....	189	7,682	.....	.....	.....	.....	4	1,000	16	1,574	3,575	75	1,533
2. Stumbling .....	73	3,761	.....	.....	.....	.....	2	850	10	976	1,373	26	562
All on the Level .....	262	11,443	.....	.....	.....	.....	6	1,850	26	2,550	4,948	101	2,095
All Falls of Persons .....	427	52,459	5	30,000	.....	.....	10	6,100	54	5,262	7,934	152	3,163
XII. Stepping on, Striking Against Objects:													
a. Stepping on:													
1. Nails or screws .....	57	1,884	.....	.....	.....	.....	1	100	9	575	632	29	577
2. Other objects .....	4	114	.....	.....	.....	.....	.....	.....	.....	.....	71	2	43
3. Striking against nails .....	2	61	.....	.....	.....	.....	.....	.....	.....	.....	37	1	24
4. Slivers & Sharp projections .....	65	8,371	1	6,000	.....	.....	1	300	7	509	959	28	603





[illegible]

CAUSE	Total			Deaths			Permanent Totals			Permanent Partial			TEMPORARY DISABILITIES					
													Over 8 Wk.		4 to 8 Wks.		2 to 4 Wks.	
	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost	Number	Cases	Days Lost
c. Hand Trucks, Carts, etc.:																		
1. Struck by, in hands of injured	9		1,460							1	1,200		1	85		3	92	4
2. Struck by, in hands of co-worker	19		1,294							2	600		1	210		8	324	8
3. Object falling from	15		455							1			1	70		6	217	8
4. Overturning	3		1,055							1	1,000					1	39	16
All Hand Trucks and Carts	46		4,264							4	2,800		3	365		18	672	21
XV. Hand Tools:																		
a. In Hands of Injured:																		
1. Glancing or slipping	178		11,438							16	6,300		14	1,186		63	2,244	85
2. Breaking	9		636							1	300		1	72		7	264	
3. Flying objects from	4		1,896							1	1,800		2	77				1
4. Flying nails	5		4,572							3	4,500					2	72	
5. Flying metal chips	32		7,495							4	6,450		4	310		8	390	16
6. Flying stone chips	23		5,128							3	4,500		1	86		9	328	10
All in Hands of Injured	251		31,165							28	23,850		22	1,731		89	3,298	112
b. In Hands of Co-Worker:																		
1. Glancing or slipping	41		2,105							2	600		6	501		20	725	13
2. Breaking	9		293													6	226	3
3. Flying metal chips	3		2,835							2	2,800					1	35	
4. Flying stone chips	5		1,945							1	1,800					4	145	



All in Hands of Injured.....	58	7,178					5	5,200	6	501	31	1,131	16	346
All Hand Tools.....	309	38,343					33	29,050	28	2,232	120	4,429	128	2,632
XVI. Animals:														
a. Draft Animals:														
1. Kicked by, stepped on.....	28	4,895					2	3,600	5	682	13	438	8	175
2. Falls from .....	16	610							1	96	11	433	4	81
3. Runaways .....	9	332							1	70	6	230	2	32
All Animals .....	53	5,837					2	3,600	7	848	30	1,101	14	288
XVII. Miscellaneous:														
a. Flying particles, n. o. c.....	46	8,653					6	7,260	2	209	20	806	18	378
b. Heat prostration .....	3	6,059	1	6,000							1	42	1	17
c. Violence of co-worker.....	1	29									1	29		
d. Violence, not from co-worker	4	6,064	1	6,000									3	64
e. Horseplay .....	3	98									3	98		
f. Compressed air (not explo-														
sion) .....	10	4,310					4	4,000	1	138	4	148	1	24
g. Aeroplane accidents .....	1	6,000	1	6,000										
b. Occupational disease .....	29	892							1	68	13	505	15	319
i. Gin saws .....	9	1,699					3	1,500			4	157	2	42
j. Electrocution .....	7	42,000	7	42,000										
k. Drowning .....	4	24,000	4	24,000										
All Miscellaneous .....	117	99,804	14	84,000			13	12,760	4	415	46	1,785	40	844
Grand total .....	5,769	1,932,864	231	1,386,000	4	24,000	358	314,166	782	75,218	2,450	92,204	1,944	41,276

Table 4—Geographic Location by Extent of Disability.  
Calendar Year 1920

COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Autauga .....	21			2	2	9	8
Baldwin .....	14			6	1	6	1
Barbour .....	3			1			2
Bibb .....	35	4		4	5	10	12
Blount .....	8	1			1	2	4
Bullock .....	15	1				1	13
Butler .....	16	2		2	1	4	7
Calhoun .....	271	7	1	16	10	68	169
Chambers .....	29	3		5	4	11	6
Cherokee .....	12						12
Chilton .....	6				2	3	1
Choctaw .....	42	2		3	4	24	9
Clarke .....	56	1		9	7	18	21
Clay .....	5					1	4
Cleburne .....	9						9
Coffee .....	7				1	1	5
Colbert .....	36	2		1	8	14	11
Conecuh .....	15	4			2	6	3
Coosa .....	7			1	2		4
Covington .....	45	3		4	12	16	10
Crenshaw .....	13					2	11
Cullman .....	26					5	21
Dale .....	6				3	1	2
Dallas .....	71			13	11	21	26
DeKalb .....	3			1		1	1
Elmore .....	26			3	4	8	11
Escambia .....	16	1		7		5	3
Etowah .....	177	5	1	18	20	58	75
Fayette .....	27			4	2	12	9
Franklin .....	8			2	3	1	2
Geneva .....	12	2		2		2	6
Greene .....	19	2		5		9	3
Hale .....	28	1		2	6	13	6
Henry .....	12						12
Houston .....	15			3	1	3	8
Jackson .....	32			1	22	4	5
Jefferson .....	2,950	75	2	189	354	616	1,714
Lamar .....	41		1	3	16	8	13
Lauderdale .....	29			2	2	13	12
Lawrence .....	7						7
Lee .....	13				4	7	2
Limestone .....	3				1	2	
Lowndes .....	3				1	1	1
Macon .....	4			1	1		2
Madison .....	59	1		5	4	25	24
Marengo .....	41	4		4	8	15	10
Marion .....	17	1		3	2	5	6



COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Marshall .....	4					3	1
Mobile .....	602	16	2	48	58	168	292
Monroe .....	6	2			2	2	
Montgomery .....	215			9	13	41	152
Morgan .....	30	2		5	6	8	9
Perry .....	19			3	2	7	7
Pickens .....	21			2	3	7	9
Pike .....	13	1		5	1	3	3
Randolph .....	7			3			4
Russell .....	11						11
Shelby .....	21	3		2	3	5	8
St. Clair .....	21			4	4	7	6
Sumter .....	35	1		8	5	10	11
Talladega .....	58	1		5	10	18	24
Tallapoosa .....	8	1					7
Tuscaloosa .....	261	7	1	35	31	57	130
Walker .....	481	26	2	23	51	115	264
Washington .....	12	1		1	3	4	3
Wilcox .....	22	3			4	7	8
Winston .....	1					1	
Grand total .....	6,158	186	10	475	723	1,512	3,252

Table 4(a)—Geographic Location, by Extent of Disability.  
Calendar Year 1921

COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Autauga .....	13				2	3	8
Baldwin .....	3					2	1
Barbour .....	17			2	3	5	7
Bibb .....	56	6		6	12	13	19
Blount .....	23	1		1	3	10	8
Bullock .....	2			1		1	
Butler .....	12	1		3	2	4	2
Calhoun .....	92			4	16	39	33
Chambers .....	41			4	4	17	16
Cherokee .....	1				1		
Chilton .....	20	1		2	6	5	6
Choctaw .....	40	2		3	8	13	14
Clarke .....	16	1		1		7	7
Clay .....							
Cleburne .....	2					1	1
Coffee .....	4			2			2
Colbert .....	16			3	3	7	3
Conecuh .....	14	3		5	3	3	
Coosa .....	1					1	
Covington .....	35	2		22	6	10	13
Crenshaw .....	1					1	
Cullman .....	6					3	3
Dale .....	5			1		3	1
Dallas .....	47	2		5	9	14	17
DeKalb .....	1					1	
Elmore .....	16				5	3	8
Escambia .....	26			6	3	10	7
Etowah .....	132	2	1	11	19	51	48
Fayette .....	13				2	6	5
Franklin .....	13			2	1	5	5
Geneva .....	9		1	1	2	2	3
Greene .....	11	1		1		5	4
Hale .....	15	1		2	3	6	3
Henry .....	1			1			
Houston .....	22			4	3	9	6
Jackson .....	11			3	3	3	2
Jefferson .....	1,957	64	3	168	253	714	674
Lamar .....	3	1				2	
Lauderdale .....	4	1		1		1	1
Lawrence .....							
Lee .....	9				1	6	2
Limestone .....	9					5	4
Lowndes .....	11			1	1	4	5
Macon .....	6			2		3	1
Madison .....	75		1	13	6	24	31
Marengo .....	31		1	6	5	15	4
Marion .....	1				1		



COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Marshall .....	1			1			
Mobile .....	403	8	3	52	65	167	108
Monroe .....	2						2
Montgomery .....	128	5		19	29	41	34
Morgan .....	37			3	5	13	16
Perry .....	10				3	2	5
Pickens .....	22	1		1	5	10	5
Pike .....	14			2	4	5	3
Randolph .....	5			1	1	1	2
Russell .....	3			1		1	1
Shelby .....	11	2		2		4	3
St. Clair .....	23	1		4		10	8
Sumter .....	23	2		5	3	9	4
Talladega .....	66	2		6	9	26	23
Tallapoosa .....	4				1	2	1
Tuscaloosa .....	107	6	1	10	18	32	40
Walker .....	549	24	3	34	104	209	258
Washington .....	13			3	2	6	2
Wilcox .....	34	4	0	3	3	11	13
Winston .....	1					1	
Grand total .....	4,299	144	14	414	638	1,587	1,502

Table 4(b)—Geographic Location, by Extent of Disability.  
Calendar Year 1922

COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Autauga .....	13			1	2	4	6
Baldwin .....	2				1	1	
Barbour .....	19			1	4	6	8
Bibb .....	63			7	8	22	26
Blount .....	18		1	2	1	10	4
Bullock .....	3				1		2
Butler .....	3	1		1		1	
Calhoun .....	235			7	18	101	109
Chambers .....	33			1	4	20	8
Cherokee .....							
Chilton .....	121	4	1	4	30	51	31
Choctaw .....	23	1		3	1	11	7
Clarke .....	28	1		1	6	9	11
Clay .....	1					1	
Cleburne .....	1					1	
Coffee .....	4				1	2	1
Colbert .....	12				2	5	5
Conecuh .....	10	1			2	4	3
Coosa .....	1					1	
Covington .....	15	1		2	2	5	5
Crenshaw .....	3	1			1	1	
Cullman .....	5				2	1	2
Dale .....	1			1			
Dallas .....	32			3	5	10	14
DeKalb .....	3				1	2	
Elmore .....	16		1	4	3	7	1
Escambia .....	30			3	2	12	13
Etowah .....	204	5		11	28	80	80
Fayette .....	8			1	2	3	2
Franklin .....	17			1	3	10	3
Geneva .....	7				1	3	3
Greene .....	18	1		2	1	6	8
Hale .....	9			1	1	5	2
Henry .....	6				5		1
Houston .....	41	1		5	9	18	8
Jackson .....	21			1		12	8
Jefferson .....	2,807	*174		196	369	1,176	892
Lamar .....	7	1				4	2
Lauderdale .....	18			2	4	7	5
Lawrence .....	1					1	
Lee .....	7			3	1	2	1
Limestone .....	5				2		3
Lowndes .....	10				1	5	4
Macon .....	13			2	2	4	5
Madison .....	53			7	7	25	14
Marengo .....	28	3			6	12	7
Marion .....							



COUNTY	Total	Deaths	Permanent Totals	Permanent Partials	Temporary Disabilities .		
					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
Marshall .....	9					7	2
Mobile .....	450	6		36	84	208	116
Monroe .....	7			1	1	4	1
Montgomery .....	117	2		7	13	60	35
Morgan .....	46	1		5	3	19	18
Perry .....	9			1	2	3	3
Pickens .....	29			2	1	19	7
Pike .....	4					1	3
Randolph .....	2	1				1	
Russell .....	2				1		1
Shelby .....	23	1		1	2	9	10
St. Clair .....	10			1	1	3	5
Sumter .....	27	1		1	5	13	7
Talladega .....	62			4	7	26	25
Tallapoosa .....	23					11	12
Tuscaloosa .....	198	5		10	31	76	76
Walker .....	708	15	1	7	83	304	298
Washington .....	27	3		6	5	5	8
Wilcox .....	40	1		3	4	19	13
Winston .....	1					1	
Grand total .....	5,769	231	4	358	782	2,450	1,944

\*"Dolomite" disaster included.

Table 5—Sex and Age of Injured  
Calendar Year 1920

Age at Injury	MALES					FEMALES									
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partials	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partials	Temporary Disabilities		
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
10	2	2				1	1								
12	2	2	1					1							
13	3	3					3								
14	5	5			1		2								
15	10	10			1		8								
16	88	83	1		6	9	26	41	5			3			2
17	153	149	1		12	13	35	88	4				1	1	2
18	190	186	6		17	12	30	121	4			1		1	2
19	181	177	6	1	18	27	32	93	4					2	2
20	162	160	8		12	20	27	93	2					1	1
21	340	338	17		21	41	40	219	2					2	
22	320	316	9		26	24	25	232	4			1			3
23	259	259	3		13	11	21	211							
24	249	245	5		7	22	49	162	4	1					3
25	225	224	5		20	16	44	139	1					1	
26	180	178	3		12	24	23	116	2					2	
27	195	194	5		9	26	45	109	1						1
28	155	153	4	1	11	20	26	91	2						2
29	132	132	3		11	15	29	74							
30	179	176	3		14	29	19	111	3					3	
31	85	84	1		8	19	24	32	1					1	



32	129	128	4	12	24	30	58	1	1	1	1	1
33	111	111	4	11	12	23	60	1	1	1	3	1
34	122	119		10	21	43	45	3				1
35	177	175	6	10	12	28	119	2				2
36	105	103		8	17	41	36	2				1
37	105	102	3	5	18	43	33	3		1		1
38	142	140	2	12	17	21	88	2				1
39	103	102	1	5	20	33	43	1				1
40	145	142	3	10	24	29	75	3		2		1
41	63	63		7	8	26	22					
42	70	69		5	11	29	24	1		1		
43	60	60	4	6	11	21	18					
44	51	51	2	6	11	17	15					
45	127	126	6	7	25	27	61	1		1		
46	98	98	1	11	12	32	42					
47	111	111	6	5	21	49	39					
48	117	117	3	11	20	35	48					
49	66	66		1	7	31	27					
50	114	113	2	8	19	42	42	1		1		
51	40	40	2	2	5	20	11					
52	48	48	1	4	5	22	16					
53	35	34	1	4	5	14	10	1			1	
54	42	41	2	4	6	18	11	1			1	
55	58	58	2	2	14	14	26					
56	29	29	2	1	8	10	8					
57	11	11			2	7	2					
58	20	20			3	7	10					
59	15	15		3	1	3	8					
60	25	25	1	1	3	11	9					
61	15	15	1	2	5	2	5					
62	16	16		4	2	6	4					
63	9	9			2	1	6					
64	3	3			2	2	1					
65	20	20	2	2	3	10	3					
66	6	6			5	5	1					

Age at Injury	MALES							FEMALES							
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partial	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partial	Temporary Disabilities		
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
67	4	4	1			1	1	1							
68	4	4			1		1	2							
69	1	1					1								
70	9	9	1			2	3	3							
71	3	3	1				1	1							
72	4	4	1			1	1	1							
73	4	4	2				2								
74	2	2				1		1							
75	3	3	1			1	1	1							
76	1	1				1									
77	2	2						2							
91	1	1					1								
Not stated	597	589	37	6	69	4	222	251	8			2	2	1	3
Grand total	6,158	6,088	186	10	468	713	1,486	3,224	70	2		7	10	26	25



Table 5(a)—Sex and Age of Injured  
Calendar Year 1921

Age at Injury	MALES						FEMALES									
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partial	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partial	Temporary Disabilities			
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks	
10	1	1						1								
11	1	1			1											
13	1	1														
14	8	8			4	1		1								
15	5	5					3	2								
16	21	20	1		4	1	4	10	1							
17	69	64	1	1	8	8	25	21	5			1	1	1	4	2
18	109	103	6		8	15	35	39	6							
19	98	95	6	1	16	12	12	48	3							
20	121	120	6		8	13	41	52	1							
21	152	149	4		10	29	24	82	3			1				
22	152	149	5		26	29	16	73	3					2	1	
23	164	163	4	1	10	25	56	67	1							
24	161	160	7		13	21	60	59	1					1		
25	170	168	7		8	21	71	61	2					1	1	
26	129	128	4		13	15	50	46	1							
27	128	126	5		9	25	45	42	2					1		
28	128	128	7	1	9	14	50	47								
29	142	142	1		46	14	40	41								
30	142	140	3		15	24	46	52	2					1	1	
31	70	70	4		5	7	26	28								

## FIRST QUADRENNIAL REPORT OF

Age at Injury	MALES										FEMALES					
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partial	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partial	Temporary Disabilities			
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks	
32	95	95	2	1	11	17	35	29								
33	79	78	2	1	9	6	32	28	1			1				
34	93	91			14	14	33	30	2	1					1	
35	159	157	5	1	16	24	70	41	2	1					1	
36	110	110	3		7	14	45	41								
37	88	88	1		9	19	37	22								
38	106	104	3		5	20	40	36	2						1	1
39	90	87	1		12	9	37	28	3			1			2	
40	125	125	3		11	12	55	44								
41	50	49	2		3	17	14	13	1							1
42	117	117	1	2	4	17	25	68								
43	42	42	1		5	5	19	12								
44	31	30	1		4	4	10	11	1			1				
45	126	125	3		11	18	48	45	1							
46	71	71	2	1	4	11	32	21							1	
47	65	65	3		9	11	18	24								
48	94	94	1	1	6	12	41	33								
49	67	67	1		4	12	24	26								
50	82	81	2	1	10	9	41	18	1							1
51	34	34	1		1	6	16	10								
52	44	44	2		1	4	20	17								
53	19	19			2	1	10	6								
54	27	26				5	11	10	1						1	



[illegible]

8—WC

Table 5(b)—Sex and Age of Injured  
Calendar Year 1922

Age at Injury	MALES							FEMALES								
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partial	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partial	Temporary Disabilities			
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks	
13	1	1	1					1								
14	2	2	1					1								
15	7	6			1			4	1							1
16	46	46			3	9	17	17								
17	112	109			9	10	49	41						1	2	
18	157	156	8		9	22	56	61	3							
19	153	152	14		7	15	57	59	1							1
20	177	172	2	1	21	11	78	59	5			1	1	1	2	
21	287	286	12		17	36	112	109	1					1	1	1
22	348	345	7		20	51	135	132	3							
23	256	256	13	1	20	25	91	106								2
24	206	206	4		14	29	76	83								
25	227	227	7		13	30	91	86								
26	188	188	6		6	22	79	75								
27	172	169	7		8	22	65	67	3			1	1	1		
28	208	207	15		10	25	83	74	1							1
29	155	155	7		6	19	67	56								
30	191	190	9		9	22	84	66	1							1
31	84	83	4		5	15	42	17	1							1
32	176	175	5		14	25	74	57	1				1			
33	100	99	3		3	18	49	26	1						1	





Age at Injury	MALES										FEMALES				
	Total Cases	Total Males	Fatal	Permanent Totals	Permanent Partial	Temporary Disabilities			Total Females	Fatal	Permanent Total	Permanent Partial	Temporary Disabilities		
						Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks					Over 8 Weeks	4 to 8 Weeks	2 to 4 Weeks
69	4	4				3	1	2							
70	7	7			2		3								
71	1	1					1								
72	4	4				2		2							
75	2	2						2							
77	2	2													
79	1	1					1								
81	1	1					1								
Not stated	440	437	26		33	71	177	130	3				1		2
Grand total	5,769	5,736	231	4	355	776	2,440	1,930	33			3	6	10	14



STATEMENT OF SALARIES AND EXPENSES OF THE WORK-  
MEN'S COMPENSATION COMMISSIONER FOR THE STATE  
OF ALABAMA JANUARY 1, 1920, TO SEPTEMBER  
30, 1922

By Chief Examiner Public Accounts

1920:

	Salaries.	Office Supplies. Printing. Postage.	Totals.
Thomas M. Owen, Commsr.....	\$ 300.00		\$ 300.00
Marie B. Owen, Clerk.....	80.64		80.64
Mrs. R. E. Younkin, Sten.....	170.83		170.83
W. A. Saffold, Jr., Clerk.....	704.17		704.17
Office supplies, etc.....		\$ 214.41	214.41
Postage .....		\$ 20.00	20.00
Totals.....	\$1,255.64	\$ 214.41 \$ 20.00	\$1,490.05

1920-21:

	Salaries.	Office Sup. Printing.	Post- age.	Traveling Expenses.	Totals.
W. A. Saffold, Jr., Clk.....	\$1,666.60				\$1,666.60
W. M. Owen, Clerk.....	166.66				166.66
W. M. Owen, Clerk.....	38.89				38.89
Office supplies, etc.....		\$391.65			391.65
Postage .....			\$ 60.00		60.00
W. H. Monroe, Clerk.....	127.77				127.77
Traveling expense .....				\$ 71.39	71.39
Totals.....	\$1,999.92	\$391.65	\$ 60.00	\$ 71.39	\$2,522.96

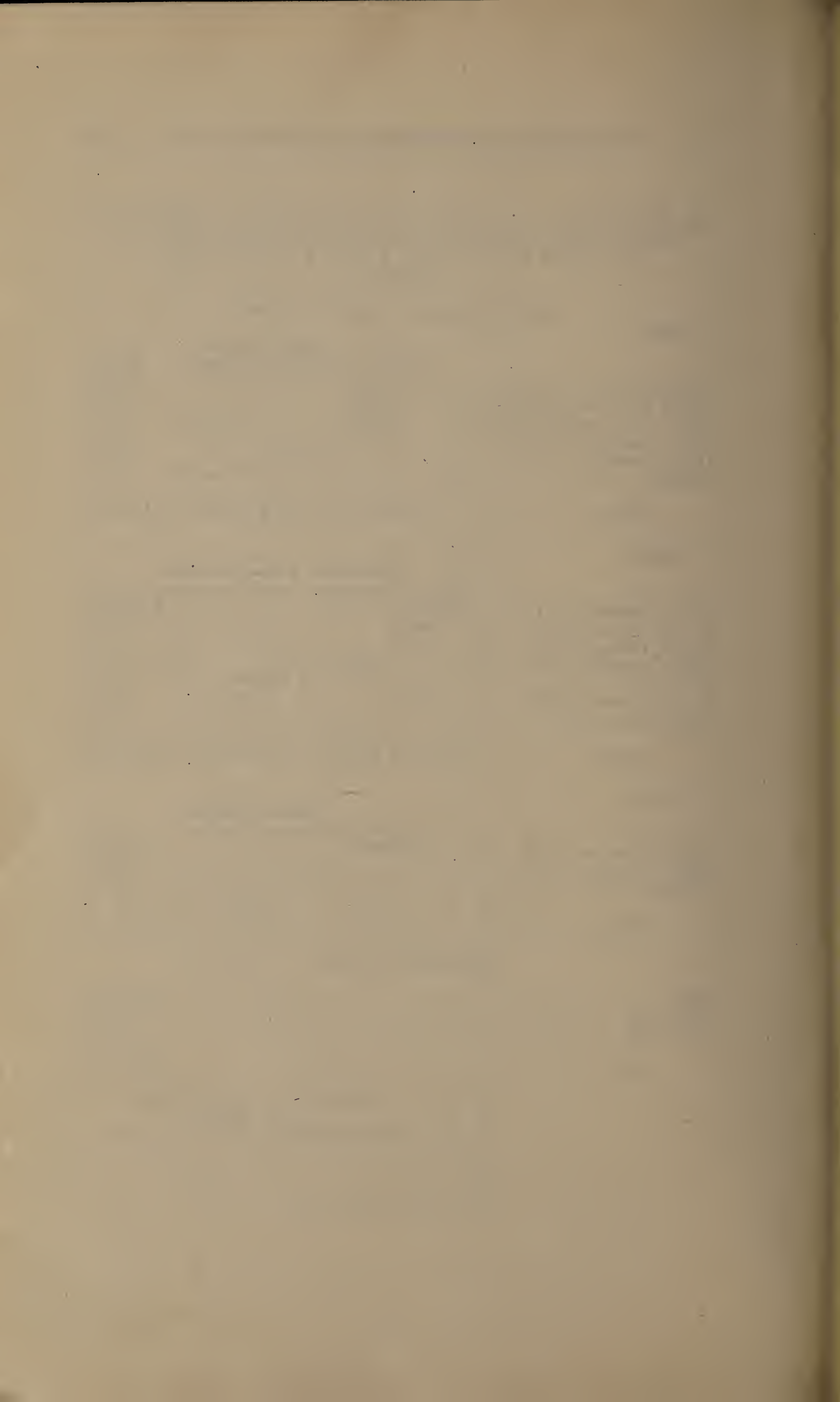
1921-22:

	Salaries.	Office Supplies. Printing. Postage.	Totals.
W. H. Monroe, Clerk.....	\$2,000.00		\$2,000.00
Office supplies, etc.....		\$ 557.06	557.06
Postage .....		\$ 70.00	2,627.06
Totals.....	\$2,000.00	\$ 557.06 \$ 70.00	\$2,627.06

RECAPITULATION

1920 .....	\$1,490.05
1920-1921 .....	2,522.96
1921-1922 .....	2,627.06
Total.....	\$6,640.07

(Signed) L. A. EASTERLY,  
G. C. DEAN,  
Assistant Examiners of Accounts.





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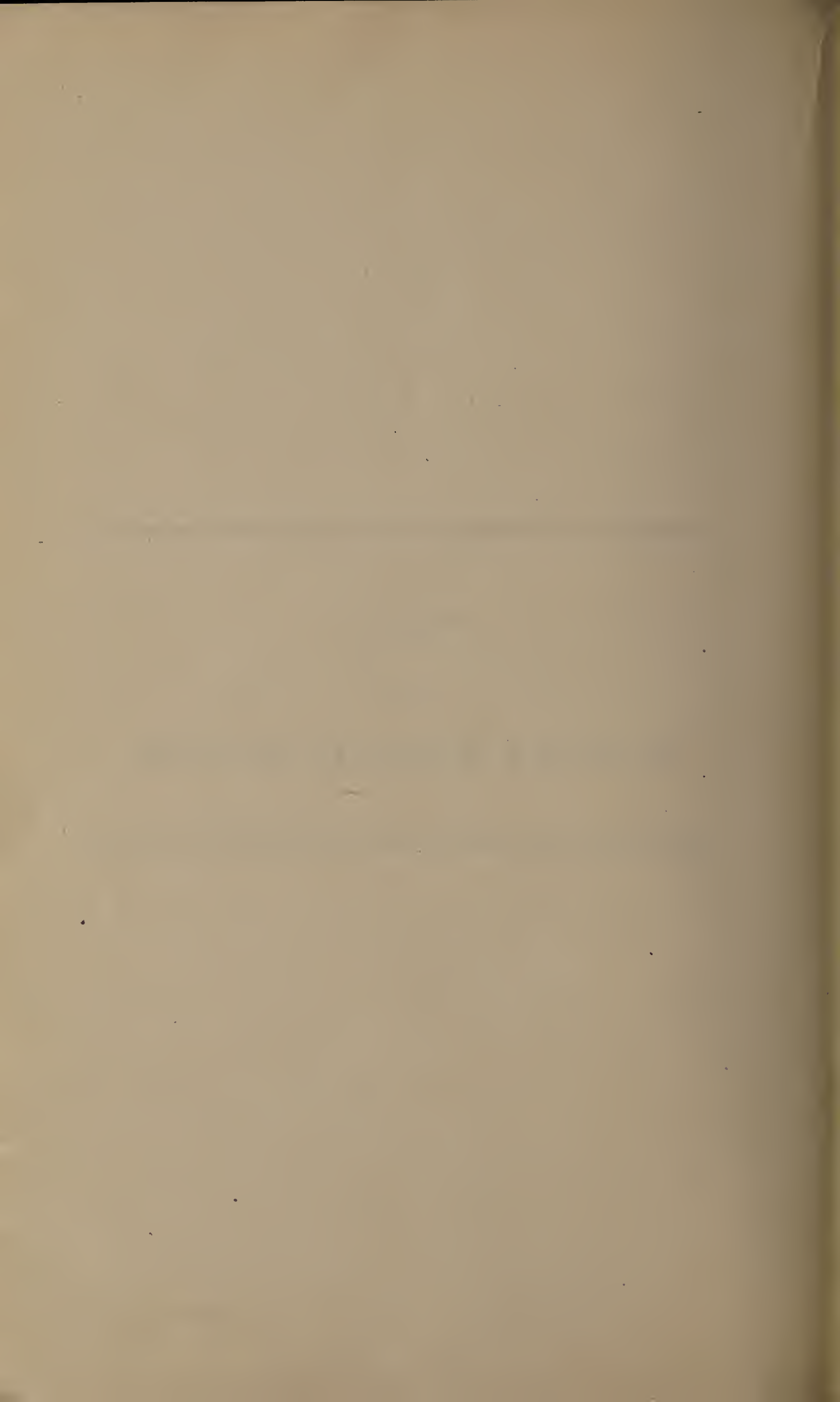
PART IV.

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ALABAMA WOMEN IN INDUSTRY

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## ALABAMA WOMEN IN INDUSTRY

While not strictly speaking a part of the statistical report of the Workmen's Compensation Commissioner, the following data concerning women in industry in Alabama is presented herewith for the information of the Legislature. This action is taken in anticipation of the introduction of a bill to regulate the hours of labor for women in industry in this State. There being no department of industry or labor and the subject of women in industry being germane to the whole subject of industry in the State, it is pertinent to this report that this data be furnished by the Workmen's Compensation Commissioner.

## WOMEN IN INDUSTRY

According to the U. S. census in 1920 there were 223,876 women wage-earners in Alabama. A large proportion of that number were domestic servants, laundresses, and farm laborers. The next greatest number of industries in which women were employed were manufacturing and mechanical industries, retail stores and laundries. More than half of these women were engaged in the manufacture of textiles. During March of 1921 the women's bureau of the U. S. Department of Labor, at the request of the Alabama League of Women Voters and the Alabama Federation of Women's Clubs, delegated three members of its staff to make a survey of the conditions under which women in Alabama were employed in industry. During February, 1922, the work was begun and completed in April of that year. A preliminary report of the findings of this survey has been issued by the women's bureau of the U. S. Department of Labor showing hours, wages, and working conditions of 132 establishments, these being selected in all sections of the State including Alabama City, Albany, Anniston, Birmingham, Bon Air, Bridgeport, Cottondale, Dothan, Eufaula, Florence, Fort Wayne, Gadsden, Girard, Huntsville, Lanett, Madrid, Mobile, Montgomery, Opelika, Oxford, Ozark, Piedmont, Pinckard, Prichard, Roanoke, Selma, Sheffield, Stevenson, Sylacauga, Talladega, and Tuscaloosa.

It was found by the field workers making the report that 60.8 per cent of the women scheduled work in textile mills, 18.7 per cent in retail stores, and 8.5 per cent in laundries. It was found that 92.9 per cent of the textile workers were

white, the remaining 7.6 per cent being negroes in the main doing cleaning work in the mills. It was found also that 85.1 per cent of the women in power laundries were negroes who worked chiefly on flat work machines, at hand and machine pressing, and occasionally on extractors.

The following facts and figures are summarized from the report above referred to:

Alabama is one of five states in which there is no regulation in regard to the length of the working day. There are 22 states which require for women in some occupations a working day shorter than 10 hours, and 31 states a working week shorter than 60 hours. In 1914 only 8.6 per cent of the workers in all industries in Alabama worked 48 hours and under, while in 1919 20.6 per cent of the workers came under that head; and that in 1914 for 70.9 per cent of the workers the prevailing weekly hours were 60 and over, while in 1919 only 49.4 per cent were affected. In spite of this progress, however, that 49.4 per cent, nearly one-half of all workers, were working 60 hours and over in 1919 is a condition which admits of much improvement.

#### WOMEN'S BUREAU, U. S. DEPARTMENT OF LABOR REPORT

The following is taken literally from the report issued by the women's bureau of the U. S. Department of Labor made from the Alabama survey above referred to:

##### SCHEDULED DAILY HOURS

"A ten hour day in the plants visited meant that the women were scheduled to work from 6:30 or 7 A. M. to 5:30 or 6 P. M., with an hour at noon. Table II shows that for over half the women scheduled, the regular working day was 10 hours or longer. For 833 women in 17 plants the work day was 11 hours or more. For all of the women in textile mills it was over 9 hours long, the bulk of them, 2,004, appearing in the 10-hour group. In garment factories the 8-hour day prevailed for 80 per cent of the women. Of the stores, 13 employing 611 women, were open for between 8 and 9 hours a day; 21 employing 457 women, were scheduled for 9 hours. In laundries for 76.7 per cent of the women the operating hours were over 8 and under 10 a day.

The following statement shows the median earnings of the women who worked each specified length of time:



Hours Worked.	Number of White Women.	Median Earnings.
Under 30 .....	265	\$ 3.70
30 and under 44.....	390	6.40
44 and under 48.....	303	8.25
48 and under 50.....	127	9.80
50 and under 55.....	2,250	9.35
55 .....	650	10.00
Over 55 and under 60.....	94	10.70
60 hours and over.....	168	10.70
	<hr/> 2,247	

Days on Which Work Was Done.	Number of White Women.	Median Earnings.
Less than 3.....	105	\$ 2.20
3 .....	62	4.45
3½ .....	27	5.65
4 .....	49	5.85
4½ .....	88	7.35
5 .....	114	7.65
5½ .....	235	10.35
6 .....	793	12.00
	<hr/> 1,473	

It is obvious from these statements which show figures for 3,720 (91.7 per cent) of the women included in the survey, that a large number of them worked very short hours during the week investigated. Their earnings therefore cannot be considered indicative of standards in the State, although they probably represent very serious problems for the individual earners.

That increases in hours of work do not result in a proportionate increase of earnings is evident from the figures given here. Earnings were very little higher for women who worked 55 and 60 hours than they were for those who worked 48 or 50 hours. This fact is particularly striking as the women for whom actual hours of work were recorded, were, in the main, time workers who were paid by the length of time worked rather than by the amount of work done. That there was not a proportionate increase in earnings with additional time worked for this group can only mean

that there is no standard length of working week in the State, but rather that individual establishments have varying standards so that although a woman does not get a full week's wage until she has worked 55 hours in one plant, in another, she gets her full wage for 50 and in another for 48 hours of work.

The most usual number of hours of work during the week under consideration seems to have been 55, for more than one-fourth of the women were reported as working 55 hours and half of this group earned less than \$10.

For the women whose time worked was recorded in days, there was a more direct relationship between time worked and earnings. However, although the median of earnings for 5 days was an increase of more than 100 per cent over the median for four days, it was only \$12.00, which means that 396 women who worked on 6 days earned less than \$12, while 396 earned more than that amount.

#### EARNINGS FOR FULL TIME WORK

As the figures just discussed seem to show that there is not a common standard of hours or days of work, it is impossible to draw definitely a line of demarcation between the figures which represent payment for undertime and those which include payment for overtime work. Without a study of individual establishments and in some cases of separate departments, it cannot be estimated accurately whether wages earned during a certain period were payment for normal or more than normal hours of work.

There is, however, a very generally accepted standard of what a normal working week should be and of what "full time" should consist. In view of the fact that the 44 or 48 hour week is generally recognized as an adequate standard of hours of work, it does not seem unfair to the industries of the state to estimate that all women who worked 48 hours or more during the week should be considered to be practically full time workers. Applying the same standard for the women whose hours were not reported, it seems equally fair to estimate that if they worked on 5 or more days, they probably put in practically full time as the usual daily hours in Alabama industries were 10 which would make a 50 hour week for women who worked five days. The figures for the women who did not work full time on those five days would



be more than offset by those for the women who worked on 5½ and 6 days and whose hours amounted to 55 or 60. On this basis it is important to know the earnings for the women who worked what we estimate to be practically full time (48 hours or more or on 5 days or more) during the week investigated.

The median earnings for all the women who worked 48 hours or more or on 5 or more days were \$10.40.

The rank of the individual industries in this regard was very much the same as their rank in relation to the earnings of all women irrespective of length of time worked. Arranged in descending scale they stand as follows:

Industry.	Number of White Women.	Median Earnings.
General mercantile .....	668	\$12.65
Laundries .....	36	12.35
Miscellaneous manufacturing .....	64	12.00
Food products .....	36	10.65
Yard goods .....	804	10.25
Garment .....	17	9.90
Yard and twine.....	428	9.40
Hosiery .....	206	8.75
5-and-10-cent stores .....	166	8.35
	<hr/> 2,425	

For all the women who worked the full time hours the most usual earnings were from \$7 to \$12, more than two-thirds of the women having earned such wages. In general mercantile stores, in the manufacture of yard goods and of yarn and twine there were a number of women who earned over \$15 for the practically full week's work, but in no other industry was there an appreciable number of women whose full-time earnings amounted to more than \$15.

#### YEAR'S EARNINGS

Realizing that the records of earnings for the current week could—because of the unusual industrial conditions—hardly be considered as an entirely reliable index to the earnings available for women in industry in Alabama, it seemed important to follow the records of a number of women for an entire year in order to discover the general

average of earnings over a long period. Accordingly, records for 52 weeks earnings were taken for about 20 per cent of the women for whom the one week pay roll information was secured. These women were selected as steady workers who had been employed throughout the year.

The following figures give the median year's earnings for the women whose years' records were secured:

Industry.	Number of White Women.	Median Years Earnings.
All industries .....	961	\$502
General mercantile .....	172	731
Garment manufacturing .....	70	683
Laundries .....	19	675
Hosiery manufacturing .....	112	459
Yard goods manufacturing.....	353	456
Yarn and twine manufacturing.....	169	440
5-and-10-cent stores .....	36	438
	<hr/> 1,892	

Dividing the median of year's earnings by the number of weeks during the year, it is found to be equivalent to \$9.65 a week which is not very different from the \$10.00 median which was found for the women who had worked full time during the current week. Making the same computation for each industry it appears that the median year's earnings are equivalent to a weekly sum of \$14.06 for the women in the general mercantile industry, \$13.13 in garment manufacturing, \$12.98 in laundries, \$8.83 in hosiery manufacturing, \$8.77 in yard goods manufacturing, \$8.46 in yard and twine manufacturing, and \$8.42 in 5-and-10-cent stores.

These figures on the year's earnings for a limited number of fairly regular and experienced workers do not differ very greatly from those more inclusive figures showing earnings for practically full time workers during the week in January. When it is considered that—for very many women wage earners—the yearly budget must be reduced even below the figures given for regular and experienced workers, because of much unavoidable lost time and periods of unemployment, it becomes evident that the women in the industries of Alabama must be faced with many serious prob-



lems in adjusting their living costs to meet their yearly incomes.

### EARNINGS—NEGRO WOMEN

Records of the earnings of negro women were secured in every industry investigated except printing and publishing. The following figures are the median week's earnings of all the negro women for whom records were secured and of the negro women in each industry which employed a large enough number to make figures concerning them significant.

Industry.	Number of Negro Women.	Median Earnings.
All industries .....	757	\$ 6.05
Food products manufacturing.....	37	6.90
General mercantile .....	40	6.80
Yarn and twine manufacturing.....	30	6.20
Laundries .....	417	6.10
Yard goods manufacturing.....	210	5.40

These figures show extremely low earnings for the negro women in every industry. It is particularly striking to find that laundries and the manufacture of yard goods—the two groups which employed most of the negro women (82.8 per cent)—were also the two groups with the lowest median of earnings for negro women.

That half of 757 negro women received less than \$6.05 during the week studied indicates a very low standard of wages for these women but the full significance of the figures does not appear until consideration is given to the figures which show the relationship between earnings and time worked.

Of the 297 negro women who worked 48 hours and over the median for the week's earnings was \$6.35. In other words half of these women who worked practically full time made more and half less than this amount. Almost the same figure, \$6.30, is found for the median of women whose records showed that they had worked on 5 or more days during the week. The highest figure for any of these practically full time workers occurred in general mercantile establishments where the median for 32 women who worked on 5 or more days were \$7.00. Medians in each industry are as follows:

Industry, and Time Worked.	Number of Negro Women.	Median Earnings.
All industries—48 hours or more.....	297	\$ 6.35
On 5 days or more.....	138	6.30
General mercantile—On 5 days or more ,	32	7.00
Yarn and twine—48 hours or more.....	26	6.60
Laundries—48 hours or more.....	128	6.55
On 5 days or more.....	84	5.60
Yard goods—48 hours or more.....	138	5.95

As with the white women the general mercantile establishments stand at the head of the list in the earnings of their negro women employees. It is significant in comparing these wage figures with those for all of the negro women irrespective of the length of time worked, to find, that such a large proportion, 435 (59 per cent) of these women had worked what may be considered to be full time.

#### YEAR'S EARNINGS

With such low weeks earnings it is to be expected that the record of year's earnings would show a similar situation among the limited number of negro women for whom such records were obtained. The median year's earnings for this group were as follows:

Industry.	Number of Negro Women.	Median Years Earnings.
All industries .....	97	\$324
Yard goods manufacturing.....	20	288
Laundries .....	67	329

A few years' records were obtained for negro women in other industries, but not enough to warrant separate discussion of them. On the whole, the \$324 median for all of the women is probably quite representative of the earnings which are possible for the average fairly steady and experienced negro woman worker. When this sum is divided by 52, the number of weeks in the year, the resulting sum of \$6.23 does not differ greatly from the median of \$6.35 for the week's earnings of all the negro women who worked 48 hours or more during the current week. Such figures indicate that from \$6 to \$6.50 a week and from \$300 to \$350 a year is about all the average negro woman can expect for fairly steady work in the industries of Alabama.



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